



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CHARLES D & KAREN HUGGINS
2132 N 2900 W
ARCO ID 83213

RE: Notice of Change of Water Right Ownership (NCO) for 34-00451C,
34-02401E and Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. & Mrs. Huggins:

On March 5, 1996, the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

cc: Everett T. Acor Jr.

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

In Re SRBA

)

Water Rights: 34-00451C,
34-02401E

Case No. 39576

)

)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party **ACOR - HUGGINS**
- ☐ I.C. § 42-222 transfer

- ☐ point of diversion ☐ place of use
- ☐ period of use ☐ nature of use
- ☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: April 17, 2000

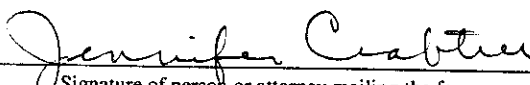
Ernest Carlson

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on April 18, 2000, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
EVERETT T ACOR JR
RT 1 BOX 13
MOORE ID 83255
3. One copy to:
Claimant/Purchaser for Substitution of Party, or attorney of record:
CHARLES D & KAREN HUGGINS
2132 N 2900 W
ARCO ID 83213
4. One copy to:
Each party in the subcase, or attorney of record
KENT FOSTER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405
5. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

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

In Re SRBA

Water Rights:

34-00451B, 34-00451C, 34-00451D,
34-00823, 34-00824A

-AND-

Overlapping Rights:

34-02401B
34-02401D (OVERLAPS 451D, 823, 824A)
34-02401E (OVERLAPS 451C)

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

☐ Address change

☐ Substitution of Party

☒ I.C. § 42-222 transfer **4811**

☐ point of diversion ☒ place of use

☐ period of use ☐ nature of use

☒ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED April 17, 2000

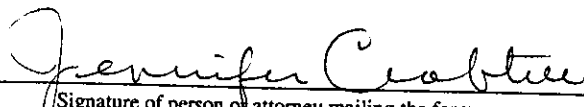
Ernest Carlson

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on April 18, 2000, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
EVERETT T ACOR JR
RT 1 BOX 13
MOORE ID 83255
3. One copy to:
Claimant/Purchaser for Substitution of Party, or attorney of record:
N/A
4. One copy to:
Each party in the subcase, or attorney of record
KENT FOSTER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405
5. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

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

DATE: APR-17-2000

PAGE: A-9

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 34-02401E

NAME & ADDRESS: CHARLES D HUGGINS
KAREN HUGGINS
2132 N 2900 W
ARCO ID 83213

SOURCE: GROUNDWATER

QUANTITY: 0.16 CFS
28.0 AFYUSE OF THIS RIGHT WITH RIGHT NO. 34-00451C IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 0.21 CFS.

PRIORITY DATE: 03/06/1961

POINT OF DIVERSION: T05N R26E S15 SWNE

Within BUTTE County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
IRRIGATIONPERIOD OF USE
04-01 10-31QUANTITY
0.16 CFS
28.0 AFYPLACE OF USE: IRRIGATION Within BUTTE County
T05N R26E S15 NWNE 8
8 ACRES TOTALUSE OF THIS RIGHT WITH RIGHT NO. 34-00451C IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 8 ACRES IN A SINGLE IRRIGATION
SEASON.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

RIGHT NO. 34-02401D IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JUNE 11, 1997

KIM SLAYTON & JULIET MARSHALL
PO BOX 431
HAILEY ID 83333

RE: Notice of Change of Water Right Ownership for 34-
00451B, 34-00823, 34-00824A, 34-02401B and
Notice of Administrative Proceeding (NAP)

Dear Ms. Slayton & Ms. Marshall:

On February 26, 1997, the Department of Water Resources (IDWR) received a Notice of Change of Water Right Ownership (NCO) for the above referenced water right(s).

In response to the NCO, this office is sending the enclosed NAP to the SRBA Court and other parties listed on page 2 of the form. The intent of this mailing is to notify those parties of the requested change.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Hoagland
Technical Records Specialist

Enclosure

cc: Holden Kidwell Hahn & Crapo

COPY

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

In Re SRBA

Case No. 39576

Water Rights: 34-00451B, 34-00823,
34-00824A, 34-02401B

NOTICE OF ADMINISTRATIVE
PROCEEDING

IDWR has received an application for an Administrative Proceeding for the above
water right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated
below:

- ☒ Substitution of Party (waiting for documentation)
- ☐ Substitution of Party/Split Water Right
- ☐ I.C. § 42-222 transfer

- ☐ point of diversion ☐ place of use
- ☐ period of use ☐ nature of use

COPY

IDWR projects the Administrative Proceeding shall be completed no later than: OCTOBER 1, 1997

DATED: June 9, 1997

Ernest Carlson

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on June 11, 1997, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:

EVERETT ACOR
RT 1 BOX 13
MOORE ID 83255

RUTH ACOR
RT 1 BOX 13
MOORE ID 83255

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:

KIM SLAYTON
PO BOX 431
HAILEY ID 83333

JULIET MARSHALL
PO BOX 431
HAILEY ID 83333

4. One copy to:

Each party in the subcase, or attorney of record

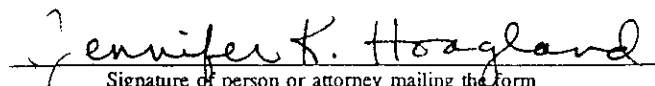
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

EC-2-27-97
Logged/DatabaseRECEIVED
FEB 26 1997STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIPPlease print or type. Attach pages with additional information. Instructions are on the back of this page.
Department of Water Resources
Eastern District Office
Incomplete forms will be returned.1. Water Right Number(s) 34-00451B, 34-00823, 34-00824A, 34-02401B
Adjudication Claim Number(s) _____

2. The following REQUIRED information must be submitted with this form.

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually 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) EVERETT & RUTH ACORRT1 BOX 13 MOORE ID. 832554. New Owner/Claimant(s) KIM SUTTON, JULIET MARSHALL

Name connector (Check one): [] AND, [] OR, [] AND/OR

New Mailing Address P.O. BOX 431City, State and ZIP Code HAILEY, ID. 83333New Telephone Number (208) 788-39845. Date you acquired the property ~~9-30-96~~ 11-14-96

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 103 Number and type of stock _____Diversion rate in CFS SPLIT Number of homes 1 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) Kim Sutton Date 11-11-96Juliet Marshall Date 11-11-96

(Corporations or other organizations must submit list of directors/officers demonstrating authority to sign form.)

8. 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.

WARRANTY DEED

FOR VALUABLE CONSIDERATION RECEIVED EVERETT T. ACOR, JR., and
RUTH P. ACOR, husband and wife, the Grantor,
does hereby grant, bargain, sell and convey unto KIM SLAYTON and JULIET MARSHALL,
Both single persons, the Grantee,
whose current address is _____,
the following described real estate situated in BUTTE County,
State of Idaho, to-wit:

See attached EXHIBIT 'A'

SUBJECT TO: Mortgage dated October 27, 1992, executed by EVERETT T. ACOR, JR. and
RUTH P. ACOR, husband and wife, and DR. PETER CANNON, ETAL, as Beneficiary, to
secure payment of \$800,000.00 and interest; recorded October 28, 1992, under
Instrument No. 26307, records of BUTTE County, Idaho. AMENDED CHANGING THE TERMS
SET FORTH IN NOTE IN MORTGAGE, dated March 24, 1994, recorded April 29, 1994,
under Instrument No. 27932, records of Butte County, Idaho.

AND

SUBJECT TO: Financing Statement by and between ACOR FARMS, INC., ET AL., and ALAN
CANNON, JR. ET AL., recorded April 24, 1994, under Instrument No. 27932, records
of Butte County, Idaho.

SUBJECT TO: all easements, reights of way, covenants, restrictions,
patent reservations, applicable building and zoning ordinances and
use regulations and restrictions and accruing taxes, of record.

TO HAVE AND TO HOLD the said premises, together with all tenements, hereditaments and appurtenances
thereunto belonging, unto the said Grantee, his successors and assigns forever. Grantor does hereby covenant
to and with the said Grantee that IT is the owner in fee simple of said premises and that IT will warrant and
defend the same from all lawful claims whatsoever.

In construing this Deed and where the context so requires, the singular includes the plural and the
masculine, the feminine and neuter.

DATED: 11/13/96
Everett T. Acor, Jr.
Everett T. Acor, Jr.

Ruth P. Acor
Ruth P. Acor

STATE OF IDAHO, County of BUTTE

On this 13th day of November 1996
before me, Lyle B. Boyer, a
Notary Public in and for the said State personally
appeared EVERETT T. ACOR, JR., AKA EVERETT
T. (Dad) ACOR, JR., AKA E.T. ACOR, JR., and
EYLEEN P. ACOR AKA RUTH EYLEEN ACOR, AKA
RUTH P. ACOR,

Known to me to be the person(s) whose name(s) are
subscribed to the within instrument, and acknowl-
edges to me that they executed the same.

Lyle B. Boyer
Notary Public
Idaho

Reading: 11-13-96
Coho. E. 11-13-96

THIS SPACE FOR COUNTY RECORD'S USE ONLY.

NO. 30797
RECORDED

NOV 14 1996

11:10 AM
BUTTE COUNTY RECORDER
Christy

IDAHO TITLE & TRUST COMPANY
Escrows • Title Insurance

Exhibit 'A'

TOWNSHIP 5 NORTH, RANGE 26 EAST, BOISE MERIDIAN, BUTTE COUNTY, IDAHO.

SECTION 15: NW1/4SE1/4, W1/2NE1/4.

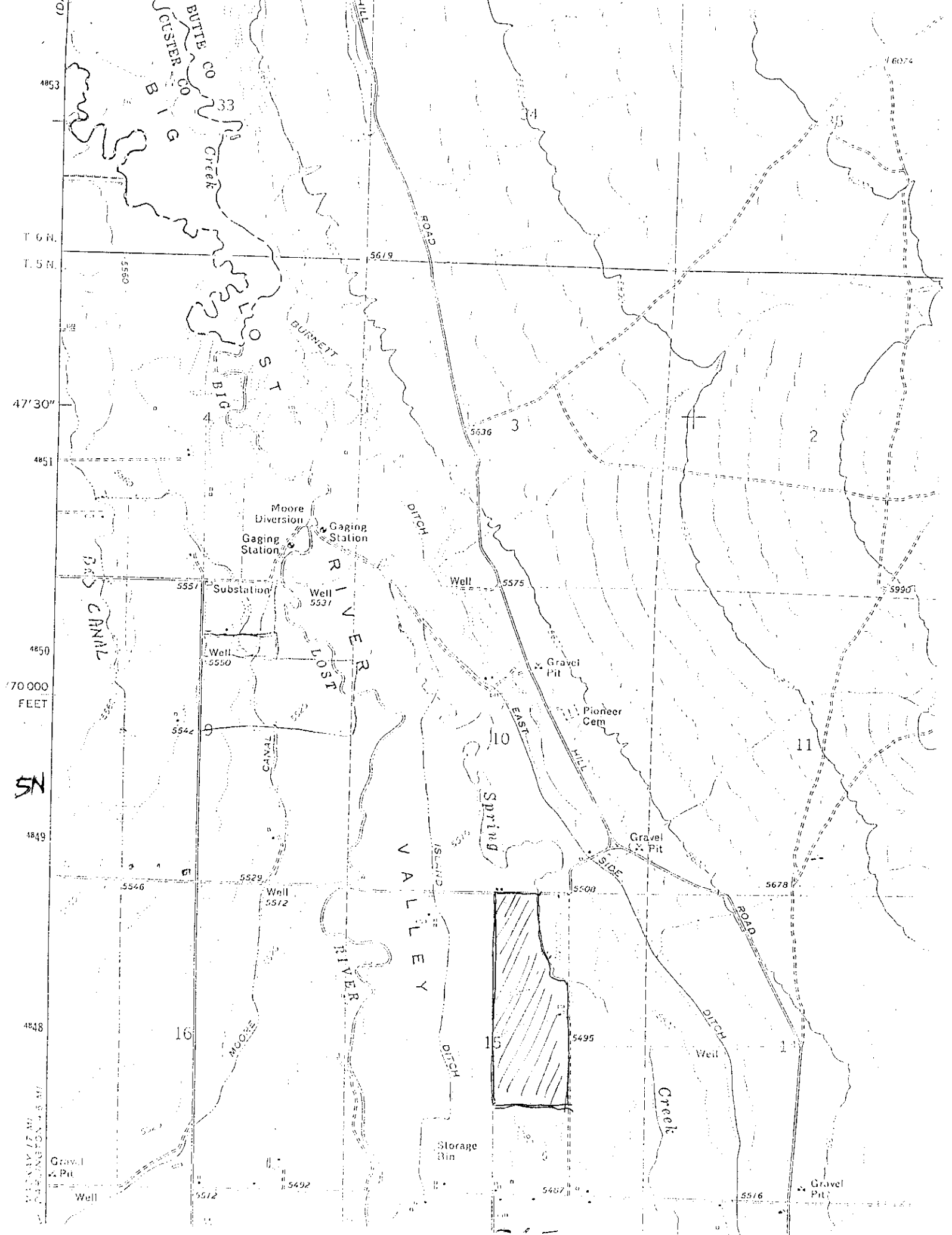
EXCEPT that portion of the NW1/4NE1/4 described as follows: Beginning at a point that is South 25 feet and West 250 feet of the Northeast corner of said NW1/4NE1/4; thence South 1100 feet; thence West 200 feet to the Northeasterly right of way of public ditch; thence along said right of way line, Northwesterly to a point that bears West 400 feet from the Point of beginning; thence East 400 feet to the Point of Beginning.

TO RICHARDS
TO ELVEKIND

ALSO EXCEPT A parcel of land generally described as being a portion of the W1/2NE1/4 Meridian, Butte County, Idaho.

Beginning at a point 25 feet South of the NE corner of said W1/2NE1/4; Thence West 250 feet to a point; Thence South 1100 feet to a point; thence West 200 feet to the Northeasterly Right-of-Way line of a public ditch; Thence Southeasterly along said Right-of-Way line of said public ditch a distance of 12 feet; thence East 50 feet to the center of Spring Creek; Thence Southeasterly along the center of said Spring Creek to a point that is 1515 feet south of the Point of Beginning; thence North 1515 feet to the POINT OF BEGINNING.

TO HUGGINS





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

MARCH 14, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

EVERETT T ACOR
RT 1 BOX 13
MOORE ID 83255

RE: APPLICATION FOR TRANSFER

Dear Bud:

After reviewing the Change in Ownership form for rights 34-00451B and 34-02401B submitted by Charles Huggins, it is apparent an Application for Transfer is needed to accomplish the intended change. The transfer is needed because you are removing two surface water rights from the property purchased by Mr. Huggins.

I have taken the liberty to prepare the enclosed transfer application to reflect the surface water you are retaining. If the transfer is not filed, portions of the three surface water rights will remain appurtenant to the 8 acres purchased by Mr. Huggins.

To file the application, sign it before a Notary and return it to this office accompanied by a check for \$100 as payment of the filing fee. If you have questions concerning the application, feel free to contact me.

Your prompt attention to this matter is appreciated.

Respectfully submitted,

Ernie Carlsen
Supervisor, Adjudications

Enclosure

cc: Charles Huggins



(T# 4811)

NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

DATE OF CLOSING: 2-14-95

MAR 05 1996

Department of Water Resources
Eastern District Office

LEGAL DESCRIPTION OF PROPERTY: Township 5N Range 26E
 Section 15, NW 1/4 of NE 1/4 of _____ 1/4, Govt. Lot _____, BM.
 Lot _____, Block _____, Subdivision/Townsite _____
 If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR:

34-00451B, WELL LICENSE # 34-02401B

☐ Name and Address of Former
Owner/Claimant(s)(Seller):

EVERETT T & RUTH P. ACOR
MOORE, IDAHO 83255

☐ New Owner/Claimant
(Purchaser):

CHARLES D & KAREN HUGGINS

☐ New Mailing Address:

2132 N 2900 W
ARCO, IDAHO 83213

☐ New Telephone Number:

(208) 527-3351

☐ Does the change in ownership result in a splitting of the water right owned/claimed? X yes no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

8" OF 34-00451B 3-10-94
8" OF WELL LICENSE # 3402401B

☐ Attach proof of
ownership, describe
proof attached:

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New
Owner/Claimant(s):

[Signature] Date 3-1-96

Date

☐ Signature of Former
Owner/Claimant(s):

Date

Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

DEPARTMENT OF WATER RESOURCES
EASTERN REGION
900 N. SKYLINE DR.
IDAHO FALLS, IDAHO 83402-1718

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

FILED 4903 FEB 17 1996

INSTRUMENT No. 28845

FEB 01 1996

WARRANTY DEED

FOR VALUABLE CONSIDERATION RECEIVED EVERETT T. ACOR and EYLEEN P. ACOR AKA RUTH P. ACOR, husband and wife, the Grantor, does hereby grant, bargain, sell and convey unto CHARLES D. HUGGINS and KARON HUGGINS, husband and wife, and CHRISTINE MARIE HUGGINS, single, the Grantee, whose current address is 2132 North 2900 West, Arco, ID 83213, the following described real estate situated in BUTTE County, State of Idaho, to-wit:

See attached Exhibit 'A'
"containing 8 acres, more or less.

TOGETHER with 8 inches of 3/10/1894 Decreed Water with Adjudication Right Number 34-00451B, and 8 inches of ground water with Adjudication Right Number 34-02401B."

SUBJECT TO: all easements, rights of way, covenants, restrictions, patent reservations, applicable building and zoning ordinances and regulations and restrictions and adjoining lands, or removed.

TO HAVE AND TO HOLD the said premises, together with all tenements, hereditaments and appurtenances hereunto belonging, unto the said Grantee, his successors and assigns forever. Grantor does hereby covenant and with the said Grantee that IT is the owner in fee simple of said premises and that IT will warrant and defend the same from all lawful claims whatsoever.

In construing this Deed and where the context so requires, the singular includes the plural and the masculine, the feminine and neuter.

DATED: February 14, 1995
Everett T. Acor, Jr.
Everett T. Acor

Eyleen P. Acor
Eyleen P. Acor
Ruth P. Acor
Ruth P. Acor

STATE OF IDAHO, County of BUTTE
On this 14th day of February 19 95
before me, Lyle B. Boyer, a
Notary Public in and for the said State personally
appeared Everett T. Acor, Jr. and
Eyleen P. Acor aka Ruth P.
Acor.
Known to me to be the person(s) whose name(s) are
described to the within instrument, and acknowl-
edges to me that they executed the same.

Lyle B. Boyer
Notary Public
Idaho
Residing at Arco, Idaho
NOTARY # 38-97

THIS SPACE FOR COUNTY RECORD'S USE ONLY.

NO. 028945

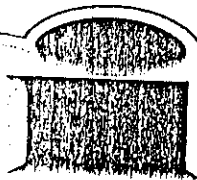
FILED

FEB 15 1995

9:16 A.M.
9:22 P.M.
BUTTE COUNTY RECORDER
Barbara R. Bailey

IDAHO TITLE & TRUST COMPANY
Escrows • Title Insurance

Box 50367, Idaho Falls, ID 83405-0367 (208) 522-7895



WARRANTY DEED

FOR VALUABLE CONSIDERATION RECEIVED EVERETT T. ACOR and EYLEEN P. ACOR AKA RUTH P. ACOR, husband and wife, the Grantor, does hereby grant, bargain, sell and convey unto CHARLES D. HUGGINS and KARON HUGGINS, husband and wife, and CHRISTINE MARIE HUGGINS, single, the Grantee, whose current address is 2132 North 2900 West, Arco, ID 83213, the following described real estate situated in BUTTE County, State of Idaho, to-wit:

See attached Exhibit 'A'

"containing 8 acres, more or less.

TOGETHER with 8 inches of 3/10/1894 Decreed Water with Adjudication Right Number 34-00451B, and 8 inches of ground water with Adjudication Right Number 34-02401B."

SUBJECT TO: all easements, rights of way, covenants, restrictions, patent reservations, applicable building and zoning ordinances and ~~use regulations and restrictions and mining laws, as shown.~~

TO HAVE AND TO HOLD the said premises, together with all tenements, hereditaments and appurtenances thereunto belonging, unto the said Grantee, his successors and assigns forever. Grantor does hereby covenant to and with the said Grantee that IT is the owner in fee simple of said premises and that IT will warrant and defend the same from all lawful claims whatsoever.

In construing this Deed and where the context so requires, the singular includes the plural and the masculine, the feminine and neuter.

DATED: February 14, 1995

Everett T. Acor
Everett T. Acor

Eyleen P. Acor
Eyleen P. Acor

Ruth P. Acor
Ruth P. Acor

STATE OF IDAHO, County of BUTTE

On this 14th day of February 19 95 before me, Lyle B. Boyer, Notary Public in and for the said State personally appeared Everett T. Acor, Jr and Eyleen P Acor aka Ruth P. Acor.

Known to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledges to me that they executed the same.

Lyle B. Boyer
Lyle B. Boyer

Notary Public
Idaho

THIS SPACE FOR COUNTY RECORD'S USE ONLY.

NO. 028845

FILED

FEB 15 1995

9:10 A.M. 2:22 P.M.
BUTTE COUNTY RECORDER

David R. Bailey

Residing at Arco, ID
Comm. Exp. 03-31-97

IDAHO TITLE & TRUST COMPANY
Escrows • Title Insurance

P.O. Box 50367, Idaho Falls, ID 83405-0367 (208) 522-7895

Exhibit 'A'

A parcel of land generally described as being a portion of the W1/2 NE1/4 of Section 15, Township 5 North, Range 26 East, Boise Meridian, Butte County, Idaho.

Beginning at a point 25 feet South of the NE corner of said W1/2 NE1/4; Thence West 250 feet to a point; Thence south 1100 feet to a point; Thence West 200 feet to the Northeasterly Right-of-Way line of a public ditch; Thence Southeasterly along said Right-of-Way line a distance of 12 feet; Thence East 50 feet to the center of Spring Creek; Thence Southeasterly along the center of said Spring Creek to a point that is 1515 feet south of the Point of Beginning; thence North 1515 feet to the POINT OF BEGINNING.



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

GC

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 23, 1995

CHARLES/KAREN HUGGINS
2132 N 2900 W
ARCO ID 83213

Re: Change in Ownership of Water Right Nos. 34-00451B and
34-02401B.

Dear Mr. & Mrs. Huggins:

We are returning, at this time, the Standard Form 3 and the Notice of Change in Ownership that this office received June 22, 1995. After researching our records it appears that the property described in Exhibit A does not have a water right pertinent. Mr. Acor does have 4 water rights that are used in combination on the NW1/4NE1/4 of section 15, but these rights only cover 32 acres. I have enclosed a copy of an ASCS aerial photo that shows the acreage that was licensed under 34-02401, claimed by Mr. Acor, and, recommended by the department. The 32 acres does not cover the land you recently purchased.

An Application for Transfer could be filed to transfer a portion of Mr. Acor's water rights to the land you own, but Mr. Acor would have to cease irrigating 8 acres of his land if the transfer was approved by the department.

Please do not hesitate to contact this office if you have any questions regarding this matter.

Sincerely,

Gregory J. Taylor
Sr. Water Agent, Adjudications

Enclosures

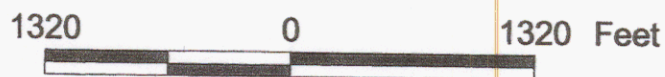
STATE OF IDAHO

Department of Water Resources

Water Right(s):

34-02401E

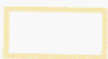
34-00451C



LEGEND

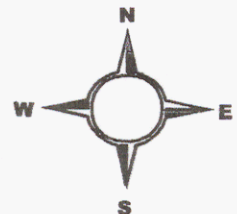


Point of Diversion



Place of Use

Acres Irrigated = 8



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: E. Carlsen
Date: April 2000