

☐ PPD? ☐ PD? ☐ Adm? ☐ Prob? ☐ IN THE DISTRICT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN
AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

NEW

NOTICE of CLAIM for Water
Right number:

8515470 (IDWR number)

NAME and
ADDRESS

United States of America acting through
Bureau of Land Management
Idaho State Office
1387 South Vinnell Way
Boise, ID 83709 - 1657

BLMIDENT:

Stg: StFed:

8506580441

J

S

Other Right and date:

SOURCE:

Source	Tributary
UNNAMED STREAM	BIG COUGAR CREEK
BIG COUGAR CREEK	SNAKE RIVER

QUANTITY:

0.02

CFS

or VOLUME:

Acre Feet

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

PRIORITY DATE:

03/15/1912

Diversion Means: INSTREAM USE

REMARKS:

THE POU WAS ORIGINALLY CLAIMED UNDER 85-12140. HOWEVER, THE POU IS
ACQUIRED LAND UNDER PATENT NUMBER 253332 ISSUED 03/15/1912.

POINT of
DIVERSION:

PURPOSE
and
PERIOD
OF USE:

Twnship	Range	Section	T1	T2	T3	LOT	B/E	within the	County of
31N	04W	32	NE	SW	NE		B	69	NEZ PERCE
31N	04W	32	NE	SW	NE		E	69	NEZ PERCE
31N	04W	32	NE	SW	NE		B	69	NEZ PERCE
31N	04W	32	SE	SW	NE		E	69	NEZ PERCE
Purpose of Use			Period of Use (from - to):			Rate in CFS		or Volume in AcF	
04			0101		1231		0.02		

CONSUMPTIVE
USE:

de minimis stockwater

DATE: 28-Sep-04

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

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

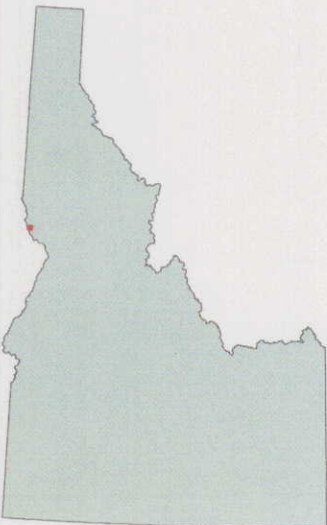
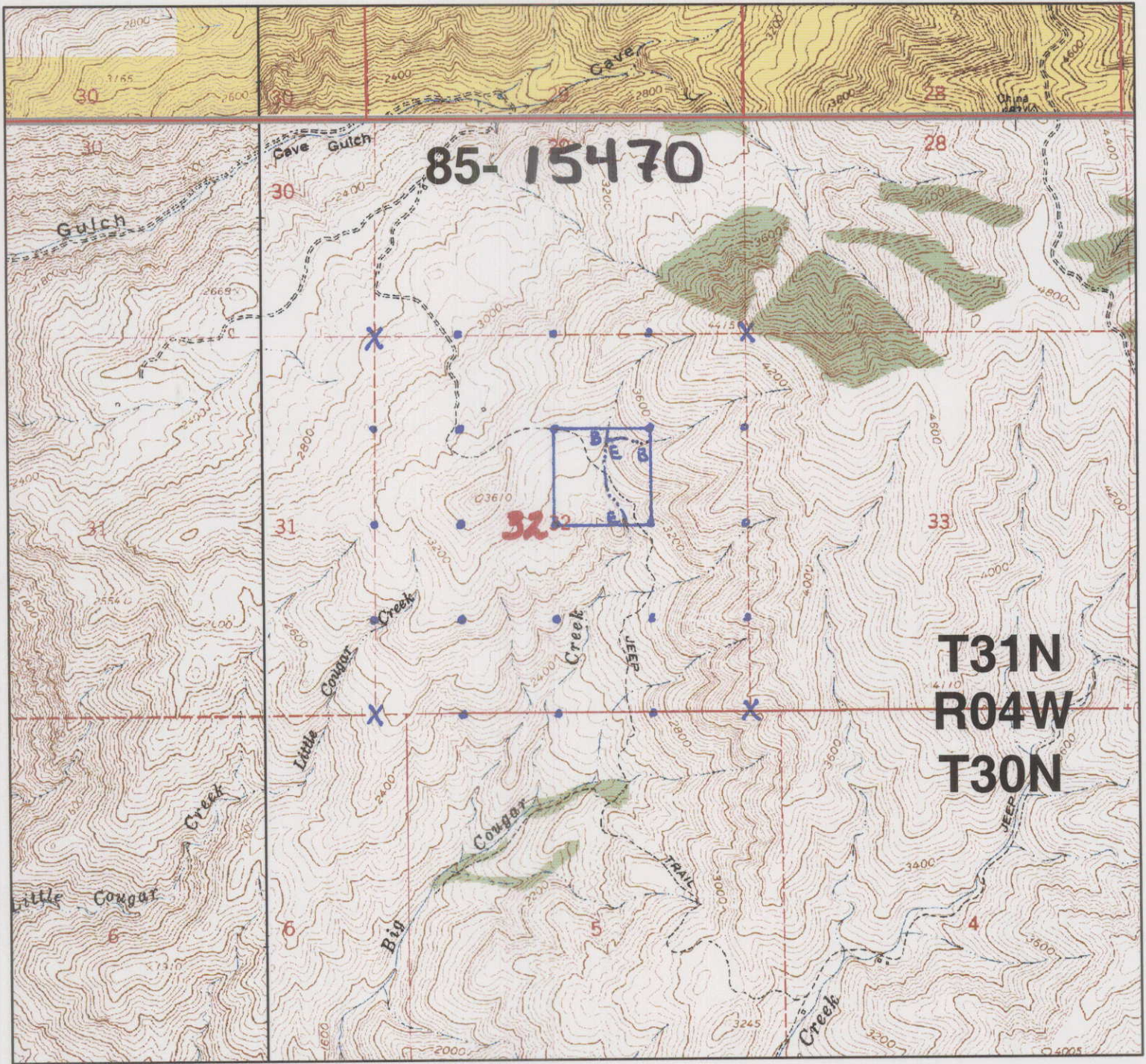
PLACE
of USE:

Water Use	Twn	Rge	Sec	T1	T2	LOT	within the	County of
04	31N	04W	32	SW	NE		69	NEZ PERCE

RECEIVED

SEP 30 2004

Department of Water Resources



1:24,000

0 220 440 880 1,320 1,760 Meters



U.S. Department of the Interior
Bureau of Land Management
1387 S. Vinnell Way
Boise, ID 83709



No warranty is made by the
Bureau of Land Management
for use of the data for purposes
not intended by the BLM.
Map date: Sept. 1, 2004

COEUR D'ALENE DISTRICT
COTTONWOOD

MT PLAT

[illegible]

BLM lands within 500' of Eagle Creek in
Sec 12

CURRENT TO	CURRENT TO
1111 0 0000	
USE PLATS	

21. 4-2 8

27 4-3 *

Price Mer.

T 31 N

SCALE in Chains

WARNING STATEMENT

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE



The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Register of the Land Office at LEWISTON, IDAHO,

has been deposited in the General Land Office, whereby it appears that full payment has been made by the claimant
ROGER S. ARDINGER

according to the provisions of the Act of Congress of April 24, 1820, entitled "An Act making further provision for the sale of the Public Lands" and the acts supplemental thereto, for the EAST HALF OF THE NORTHWEST QUARTER, THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION THIRTY-TWO IN TOWNSHIP THIRTY-ONE NORTH OF RANGE FOUR WEST OF THE BOISE MERIDIAN, IDAHO, CONTAINING ONE HUNDRED SIXTY ACRES,

according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor-General:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said claimant and to the heirs of the said claimant the Tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, WILLIAM H. TAFT

President of the United States of America, have caused these letters to be made

Patent, and the Seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the FIFTEENTH

day of MARCH In the year of our Lord one thousand

nine hundred and TWELVE and of the Independence of the

United States the one hundred and THIRTY-SIXTH

By the President:

By

Wm. H. Taft
He. P. Le Roy Secretary.

John O'Connell
Acting Recorder of the General Land Office

RECORD OF PATENTS: Patent Number 253332

601830

195 APR 11 A 9 37

JETTIE J. WILSON
RECORDER, NEZ PERCE CO. ID.BY Julie Knight DEPUTY

FIRST AMERICAN

INDEXED
FILMED
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MAILED✓
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A

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

DEED

TRACT NO. IDI-30982

For and in consideration of \$1,200,000.00,

THE NATURE CONSERVANCY, a District of Columbia non-profit corporation,
whose address is 1815 North Lynn Street, Arlington, Virginia 22209

hereinafter called Grantor, whether one or more, does hereby grant, bargain,
sell and convey to the UNITED STATES OF AMERICA, and its assigns, with offices
at 3380 Americana Terrace, Boise, Idaho 83706, the following described real
property situated in Nez Perce County, State of Idaho, to wit:

See Exhibit A attached hereto and by this reference incorporated herein,

The parcel of land to which the above description applies contains 10,387.836
acres more or less.

SUBJECT TO:

Those covenants, rights and restrictions listed on Exhibit B attached hereto
and by this reference incorporated herein.

RESERVATIONS TO GRANTOR:

Grantor its successors and assigns reserves a perpetual right of ingress and
egress along existing roadways and trails for the benefit of properties
owned by Grantor.

TO HAVE AND TO HOLD unto the UNITED STATES OF AMERICA and its assigns forever.

Grantor covenants and warrants that they are lawfully seized and possessed of
the real property aforesaid and have the full right, power and authority to
execute this conveyance, and that said real property is free and clear of liens,
claims or encumbrances except as show above or on Exhibit B, and that they will
defend the title to the real property conveyed herein and quiet enjoyment
thereof against the lawful claims and demands of all persons.

THE NATURE CONSERVANCY, does certify that it is aware and understand that it would be entitled to just compensation in the amount of \$1,820,000.00 as noted in the Statement of Just Compensation dated January 31, 1995, for the fee title interest in the above-described property, and it hereby voluntarily waives any right it may have under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public Law 91-646, to that remaining portion of the just compensation payment stated herein which is in excess of the selling price of \$1,200,000.00.

Dated this 21st day of February, 1995.

GRANTOR:

THE NATURE CONSERVANCY, a District of Columbia non-profit corporation

By DENNIS DONAHUE

Title Regional Director

By ALLI BEEZLEY

Title Asst. Secretary

CORPORATE ACKNOWLEDGMENT

STATE OF Colorado
COUNTY OF Boulder

)
) ss:
)

On this 21st day of February, 1995, before me personally appeared Dennis Donahue and Alli C. Beezley to me known to be the vice-president and assistant secretary of the corporation that executed the foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated authorized to execute said instrument and that the seal affixed is the corporate seal of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Janis L. Whisman
Notary Public in and for the
State of Colorado
Residing at Boulder, CO
My commission expires: 6/27/96

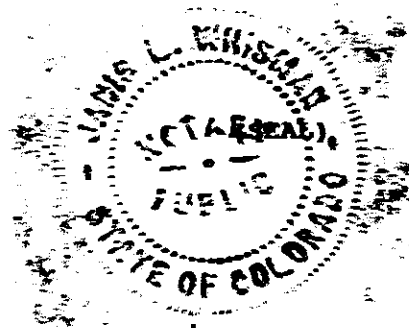
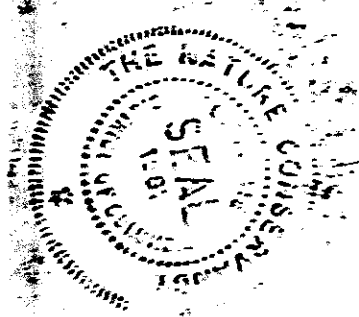


EXHIBIT "A"
IDI-30982

Township 31 North, Range 4 West, Boise Meridian

Section 5:	Govt. Lots 2,3 and 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$
Section 6:	Govt. Lots 1,2,3,8,9,13 and 14, SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$
	All
Section 7:	SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 8:	W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ and the E $\frac{1}{2}$ SE $\frac{1}{4}$
Section 17:	All
Section 18:	Govt. Lots 1,2,3,4,5,6,8 and 9, NW $\frac{1}{4}$ NE $\frac{1}{4}$
Section 19:	NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$
Section 20:	NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 21:	W $\frac{1}{2}$ W $\frac{1}{2}$
Section 28:	NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$
Section 29:	Govt. Lots 5,6,7,8,9,10,11 and 12, E $\frac{1}{2}$
Section 30:	Govt. Lots 1,2,3,4,5,6,7,8 and 12, E $\frac{1}{2}$
Section 31:	SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, W $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 32:	

Township 32 North, Range 4 West, Boise Meridian

Section 29:	S $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 30:	SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 31:	Govt. Lot 14, NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 32:	Govt. Lots 2,3 and 4, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$

Township 31 North, Range 5 West, Boise Meridian

The Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 25 and Lot 1 of Section 26, Township 31 North, Range 5 West of the Boise Meridian, Nez Perce County, Idaho,

EXCEPTING THEREFROM the following described parcel:

Commencing at the Northwest corner of Section 25; thence North 89°55'19.2" East a distance of 1,321.503 feet; thence South 0°05'25.7" East a distance of 959.05 feet to THE POINT OF BEGINNING; thence continue South 0°05'25.7" East a distance of 214.67 feet; thence South 89°56'00" West a distance of 1,523.03 feet to the mean high water line of the Snake River; thence North 22°36'24.6" West a distance of 153.59 feet; thence North 21°45'41.7" West a distance of 78.35 feet; thence North 89°56' East to THE POINT OF BEGINNING,

ALSO EXCEPTING THEREFROM the following described parcel:

Commencing at the Northwest corner of Section 25; thence North 89°55'19.2" East a distance of 1,321.503 feet; thence South 0°05'25.7" East a distance of 630.32 feet to THE POINT OF BEGINNING; thence South 89°56' West a distance of 1,676.16 feet to the mean high water line of the Snake River; thence South 0°20'10.9" East a distance of 130 feet; thence North 89°56' East a distance of 1,675.60 feet; thence North 0°05'25.7" West a distance of 130 feet to THE POINT OF BEGINNING.

Township 31 North, Range 5 West, Boise Meridian (continued)

Section 1:	SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 11:	Govt. Lots 3 and 4, E $\frac{1}{2}$ E $\frac{1}{2}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 12:	W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, S $\frac{1}{2}$
Section 13:	All
Section 14:	E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 23:	Govt. Lots 1 and 2
Section 24:	NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$
Section 25:	NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$
Section 36:	NE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$

The parcel of land to which the above description applies contains 10,387.836 acres more or less.

Exhibit "B"
IDI-30982

1. Reservations and Easements, as disclosed by Deed, including the terms, conditions and any limitations thereof, wherein STATE OF IDAHO, is Grantor and JAMES S. MADDEN, is Grantee, recorded January 19, 1946 in Book 172 of Deeds, page 298, records of Nez Perce County, Idaho.
2. Right of Way Agreement, including the terms, conditions and any limitations thereof, wherein ROSS HOWARD AND MARIE HOWARD, husband and wife, and MADELINE WALTER, an unmarried woman, are Grantors and THE HALLACK AND HOWARD LUMBER COMPANY, is Grantee, recorded September 15, 1955 in Book 8 of Miscellaneous, page 543 records of Nez Perce County, Idaho.
3. Agreement of Easement of Right of Way, including the terms, conditions and any limitations thereof, wherein MADELINE WALTER, a spinster, dealing with her sole and separate property and RICHARD LEE HOWELL, personal representative of the Will and Estate of NELSON R. HOWARD, are Grantors and COEUR D'ALENE LEASING, INC., an Idaho corporation, is Grantee, recorded January 16, 1981 under Instrument No. 442665, records of Nez Perce County, Idaho.

Assignment of Agreement of Easement, including the terms and conditions thereof, recorded November 14, 1983 under Instrument No. 470807, records of Nez Perce County, Idaho, wherein MADELINE WALTER, a single woman, and RICHARD LEE HOWELL, as Personal Representative of the Estate of Nelson Howard, deceased, are Assignors, and WILLIAM J. PENDOLA, Sr., WILLIAM J. PENDOLA, Jr., THOMAS E. NEVIS AND SAMUEL A. NEVIS, are Assignees.

4. Right of Way Easement as disclosed by Warranty Deed, including the terms, conditions, and any limitations thereof, wherein RICHARD LEE HOWELL, as Personal Representative of the Estate of Robert Nelson Howard, also known as Nelson Howard, also known as Nelson Robert Howard, also known as R. N. Howard, deceased, and MADELINE WALTER, a single woman, are Grantors, and WILLIAM J. PENDOLA, Sr., WILLIAM J. PENDOLA, Jr. and THOMAS E. NEVIS and SAMUEL A. NEVIS, are Grantees, recorded November 14, 1983 under Instrument No. 470803, records of Nez Perce County, Idaho.
5. Exclusive Road Easement, including the terms, conditions and any limitations thereof, wherein SAMUEL E. NEVIS and MELINDA L. NEVIS, husband and wife; THOMAS A. NEVIS and SAUNDRA L. NEVIS, husband and wife; WILLIAM J. PENDOLA, Sr. and WILLIAM J. PENDOLA, Jr., are Grantors and THE UNITED STATES OF AMERICA is Grantee, recorded February 20, 1987 under Instrument No. 508295, records of Nez Perce County, Idaho.
6. Access if any, to and from the herein described property has not been established of record.
7. All rights of way for public utilities and public roads as the same now exist over and across the herein described property.

WATER RIGHT CLAIM VERIFICATION

STATE OF IDAHO)
) ss:
COUNTY OF ADA)

CLAIMANT VERIFICATION:

Water Right Number: 85-15470

(a.) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I do do not **X** wish to receive and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

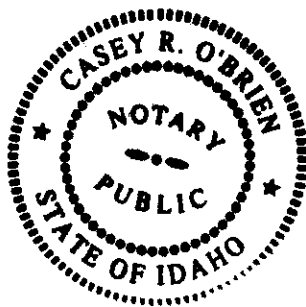
I do solemnly swear or affirm that I am Fredric W. Price, Water Rights Specialist
Title
of United States of America, acting through U.S.D.I., BLM, that I have signed the
foregoing documents in the space below as Water Rights Specialist of United States of
Title
America, acting through U.S.D.I., BLM and that the statements contained in the
foregoing documents are true and correct.

Signature of Authorized Agent *Fredric W. Price*
for the United States of America, acting through U.S.D.I., BLM

NOTARY:

Subscribed and sworn to before me on this 28th day of September, 2004.

Seal



Casey R. O'Brien
Casey R. O'Brien
Notary Public in and for: State of Idaho
Residing at: Nampa, Idaho
My Commission Expires: October 31, 2009