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Department of Water Resources

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Attorneys for Joyce Livestock Company

IN THE DISTRICT OF THE FIFTH JUDICIAL DISTRICT

OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	Subcases 55-10135 (Joyce Livestock), 55-
	)	11061, 55-11385 and 55-12452 (U.S.D.I. -
Case No. 39576	)	BLM)
	)	
	)	APPENDIX 1 TO CLOSING ARGUMENT
	)	BY JOYCE LIVESTOCK CO.

**APPENDIX 1 TO CLOSING ARGUMENT
BY JOYCE LIVESTOCK CO.**

APPENDIX 1¹

There is no specific or express descriptions of any water rights at issue in any of the conveyance documents **except** at Section 19, Lot 1 (Page 28) & Lot 2 (Page 29), Township 4 South, Range 2 West and Section 24, Lot 1 (Page 34) & Lot 2 (Page 35), Township 4 South, Range 2 West, Boise Meridian. THE CONTENTS BY THE ORIGINAL PREPARER OF THIS DOCUMENT WERE INACCURATE. ALSO, SHE DID NOT - UNDERSTANDABLY - REPEAT THE ENTIRE CHAIN OF TITLE FOR ALL PARCELS - SEE PAGES 9-10 WHICH ONLY SHOWS THE LAST DEED IN THE CHAIN. WE HAVE DELETED THE PREPARER'S STATEMENTS AS TO LEGAL OPINIONS.

TOWNSHIP THREE (3) SOUTH, RANGE ONE (1) WEST

SECTION TWENTY (20):

A. S1/2 of the SW1/4
SE1/4

- 1: March 23, 1926, Homestead Certificate from President CALVIN COOLIDGE to ANNA F. JOYCE, Bates Numbered Page 100138.

“To have and to hold the said tract of land with the appurtenances thereof 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...”

- 2: March 2, 1931, Warranty Deed from ANNA F. JOYCE to JOYCE BROTHERS LIVESTOCK COMPANY, a corporation, Number 42649, Bates Numbered Pages 100128-100130.

“Together with all and singular the tenements, hereditaments and appurtenances thereunto...”

- 3: March 25, 1935, Warranty Deed from JOYCE BROS. LIVESTOCK COMPANY, a corporation, to HUBERT B. NETTLETON, Number 49658, Bates Numbered Pages 100131-100133.

¹ This document was originally the Appendix 1 to the Declaration of Larry Brown submitted in Opposition to Joyce Livestock's Motion for Summary Judgment. Joyce Livestock has scanned this document and added (in bold) the specific references to the conveyance of water rights that were omitted by the United States.

"Together with all water, water rights, ditches and right of way for ditches now used in irrigating said land or appurtenant thereto."

- 4: April 2, 1940, Warranty Deed from HUBERT E. NETTLETON, to J. J. NETTLETON, Number 60247, Bates Numbered Pages 100134-100135.

"Together with all water, water rights, ditches and right of way for ditches now used in irrigating said land or appurtenant thereto."

5. December 15, 1943, Warranty Deed from J. H. NETTLETON to EMELINE A. NETTLETON, Number 76716, Bates Numbered Pages 100136-100137.

"Together with all water, water rights, ditches and rights of way for ditches appurtenant thereto or in anywise appertaining."

- 6: December 15, 1958, Quit Claim Deed, from EMELINE A. NETTLETON to H. B. NETTLETON and HELEN A NETTLETON, Bates Numbered Page 100139.

"...together with their appurtenances."

- 7: August 24, 1985, Warranty Deed for S½ ONLY from HELEN A. NETTLETON (Estate of Hubert E. Nettleton) to JOYCE LIVESTOCK COMPANY, a limited partnership, Number 187405, Bates Numbered Pages 100168-100171.

"To have and to hold the said premises, with their appurtenances unto the said grantee its successors and assigns forever."

SECTION TWENTY-ONE (21):

- A: SW1/4 of the NW1/4
NW1/4 of the SW1/4

- 1: March 23, 1926, Homestead Certificate from President CALVIN COOLIDGE to ANNA F. JOYCE, Bates Numbered Page 100138.

"To have and to hold the said tract of land with the appurtenances thereof 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..."

- 2: March 2, 1931, Warranty Deed from ANNA F. JOYCE to JOYCE BROTHERS LIVESTOCK COMPANY, a corporation, Number 42649, Bates Numbered Pages 100128-100130.

"Together with all and singular the tenements, hereditaments and appurtenances thereunto..."

- 3: March 25, 1935, Warranty Deed from JOYCE BROS. LIVESTOCK COMPANY, a corporation, to HUBERT E. NETTLETON, Number 49658, Bates Numbered Pages 100131-100133.

"Together with all water, waterrights, ditches and right of way for ditches now used in irrigating said land or appurtenant thereto."

- 4: March 25, 1935, Warranty Deed from JOYCE BROS. LIVESTOCK COMPANY, a corporation, to HUBERT E. NETTLETON, Number 49658, BatesNumbered Pages 100131-100133.

"Together with all water, waterrights, ditches and right of way for ditches now used in irrigating said land or appurtenant thereto."

- 5: April 2, 1940, Warranty Deed from HUBERT E. NETTLETON, to J. J. NETTLETON, Number 60247, Bates Numbered Pages 100134-100135.

"Together with all water, water rights, ditches and right of way for ditches now used in irrigating said land or appurtenant thereto."

- 6: December 15, 1943, Warranty Deed from J. H. NETTLETON to EMELINE A. NETTLETON, Number 76716, Bates Numbered Pages 100136- 100137.

"Together with all water, water rights, ditches and rights of way for ditches appurtenant thereto or in anywise appertaining."

- 7: December 15, 1958, QuitClaim Deed, from EMELINE A. NETTLETON to H. E. NETTLETON and HELEN A. NETTLETON, Bates Numbered Page 100139.

"...together with their appurtenances."

- 8: August 24, 1985, Warranty Deed from HELENA. NETTLETON (Estate of Hubert E. Nettleton) to JOYCE LIVESTOCK COMPANY, a limited partnership, Number 187405, Bates Numbered Pages 100168-100171.

“To have and to hold the said premises, with their appurtenances unto the said grantee its successors and assigns forever.”

A: North ½ of the North ½ of the SW 1/4 NW 1/4

- 1: February 26, 1997, Warranty Deed, from PAUL H. NETTLETON, General Partner Joyce Livestock Company, a limited partnership to IRENE L. TYSON, Number 221174, Bates Numbered Page 100146.

“To have and to hold the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever.”

B: South ½ of the North ½ of the SW 1/4 NW 1/4

- 1: February 26, 1997, Warranty Deed from PAUL H. NETTLETON, General Partner Joyce Livestock Company, a limited partnership to JOHN H. TYSON JR. and VIKTOREA TYSON, Number 221155, Bates Numbered Pages 100144-100145.

“To have and to hold the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever.”

SECTION TWENTY-NINE (29):

A: N1/2 of the SW 1/4
E 1/2 of the NW1/4

- 1: March 23, 1926, Homestead Certificate from President CALVIN COOLIDGE to ANNA F. JOYCE, Bates Numbered Page 100138.

“To have and to hold the said tract of land with the appurtenances thereof 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...”

- 2: March 2, 1931, Warranty Deed from ANNA F. JOYCE to JOYCE BROTHERS LIVESTOCK COMPANY, a corporation, Number 42649, Bates Numbered Pages 100128-100130.

“Together with all and singular the tenements, hereditaments and appurtenances thereunto...”

- 3: March 25, 1935, Warranty Deed from JOYCE BROS. LIVESTOCK COMPANY, a corporation, to HUBERT E. NETTLETON, Number 49658, Bates Numbered Pages 100131-100133.-N1/2 of the SW 1/4 ONLY.

"Together with all water, waterrights, ditches and right of way for ditches now used in irrigating said land or appurtenant thereto."

- 4: April 2, 1940, Warranty Deed from HUBERT E. NETTLETON, to J. J. NETTLETON, Number 60247, Bates Numbered Pages 100134-100135. N1/2 of the SW 1/4 ONLY

"Together with all water, water rights, ditches and right of way for ditches now used in irrigating said land or appurtenant thereto."

- 5: December 15, 1943, Warranty Deed from J. H. NETTLETON to EMELINE A. NETTLETON, Number 76716, Bates Numbered Pages 100136-100137. -N1/2.of the SW 1/4 ONLY

"Together with all water, water rights, ditches and rights of way for ditches appurtenant thereto or in anywise appertaining."

- 6: December 15, 1958, QuitClaim Deed, from EMELINE A. NETTLETON to H. E. NETTLETON and HELEN A NETTLETON, Bates Numbered Page 100139.

"...together with their appurtenances."

- 7: August 24, 1985, Warranty Deed from HELEN A. NETTLETON (Estate of Hubert E. Nettleton) to JOYCE LIVESTOCK COMPANY, a limited partnership, Number 187405, Bates Numbered Pages 100168-100171. N1/2 of the SW 1/4 ONLY.

"To have and to hold the said premises, with their appurtenances unto the said grantee its successors and assigns forever."

B: W1/2 of the NW1/4

- 1: March 2, 1931, Warranty Deed from ANNA F. JOYCE to JOYCE BROTHERS LIVESTOCK COMPANY, a corporation, Number 42649, Bates Numbered Pages 10128-100130.

"Together with all and singular the tenements, hereditaments and

appurtenances thereunto..."

C: NW1/4

- 1: March 25, 1935, Warranty Deed from JOYCE BROS. LIVESTOCK COMPANY, a corporation, to HUBERT E. NETTLETON, Number 49658, Bates Numbered Pages 100131-100133.

"Together with all water, water rights, ditches and right of way for ditches now used in irrigating said land or appurtenant thereto."

- 2: April 2, 1940, Warranty Deed from HUBERT E. NETTLETON, to J. J. NETTLETON, Number 60247, Bates Numbered Pages 100134-100135.

"Together with all water, water rights, ditches and right of way for ditches now used in irrigating said land or appurtenant thereto."

- 3: December 15, 1943, Warranty Deed from J. H. NETTLETON to EMELINE A. NETTLETON, Number 76716, Bates Numbered Pages 100136-100137.

"Together with all water, water rights, ditches and rights of way for ditches appurtenant thereto or in anywise appertaining."

- 4: August 24, 1985, Warranty Deed from HELEN A. NETTLETON (Estate of Hubert E. Nettleton) to JOYCE LIVESTOCK COMPANY, a limited partnership, Number 187405, Bates Numbered Pages 100168-100171.

"To have and to hold the said premises, with their appurtenances unto the said grantee its successors and assigns forever."

SECTION THIRTY (30):

A: N1/2 of the SE1/4
SW1/4 of the SE 1/4
SE1/4 of the SW1/4

- 1: June 1, 1898, Homestead Certificate No. 1357, Application 4010, Number 3294, President WILLIAM MCKINLEY to ANNA F. JOYCE.

"assigns 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...."

- 2: March 2, 1931, Warranty Deed from ANNA F. JOYCE to JOYCE BROTHERS LIVESTOCK COMPANY, a corporation, Number 42649, Bates Numbered Pages 100128-100130.

"Together with all and singular the tenements, hereditaments and appurtenances thereunto..."

- 3: March 25, 1935, Warranty Deed from JOYCE BROS. LIVESTOCK COMPANY, a corporation, to HUBERT E. NETTLETON, Number 49658, Bates Numbered Pages 100131-100133.

"Together with all water, waterrights, ditches and right of way for ditches now used in irrigating said land or appurtenant thereto."

- 4: April 2, 1940, Warranty Deed from HUBERT E. NETTLETON, to J. J. NETTLETON, Number 60247, Bates Numbered Pages 100134-100135.

"Together with all water, water rights, ditches and right of way for ditches now used in irrigating said land or appurtenant thereto."

- 5: December 15, 1943, Warranty Deed from J. H. NETTLETON to EMELINE A. NETTLETON, Number 76716, Bates Numbered Pages 100136-100137.

"Together with all water, water rights, ditches and rights of way for ditches appurtenant thereto or in anywise appertaining."

- 6: January 2, 1951, Deed, from EMELINE A. NETTLETON to HUBERT E. NETTLETON (Bad Copy), Bates Numbered Pages 100140-100143.

ILLEGIBLE

- 7: December 15, 1958, QuitClaim Deed, from EMELINE A. NETTLETON to H. E. NETTLETON and HELEN A NETTLETON, Bates Numbered Page 100139.

"...together with their appurtenances."

- 8: August 24, 1985, Warranty Deed from HELEN A. NETTLETON (Estate of Hubert E. Nettleton) to JOYCE LIVESTOCK COMPANY, a limited partnership, Number 187405, Bates Numbered Pages 100168-100171.

"To have and to hold the said premises, with their appurtenances unto the

said grantee its successors and assigns forever.”

B: E ½ of the NE ¼

- 1: March 2, 1931, Warranty Deed from ANNA F. JOYCE to JOYCE BROTHERS LIVESTOCK COMPANY, a corporation, Number 42649, Bates Numbered Pages 100128-100130.

“Together with all and singular the tenements, hereditaments and appurtenances thereunto...”

- 2: March 25, 1935, Warranty Deed from JOYCE BROS. LIVESTOCK COMPANY, a corporation, to HUBERT E. NETTLETON, Number 49658, Bates Numbered Pages 100131-100133.

"Together with all water, water rights, ditches and right of way for ditches now used in irrigating said land or appurtenant thereto."

- 3: April 2, 1940, Warranty Deed from HUBERT E. NETTLETON, to J. J. NETTLETON, Number 60247, Bates Numbered Pages 100134-100135.

"Together with all water, water rights, ditches and right of way for ditches now used in irrigating said land or appurtenant thereto."

- 4: December 15, 1943, Warranty Deed from J. H. NETTLETON to EMELINE A. NETTLETON, Number 76716, Bates Numbered Pages 100136-100137.

“Together with all water, water rights, ditches and rights of way for ditches appurtenant thereto or in anywise appertaining.”

- 5: June 9, 1953, Right of Way Deed, between HUBERT NETTLETON and HELEN NETTLETON and the County of Owyhee, Bates Numbered Pages 100172-100173.

This right of way deed is for a public road.

- 6: December 15, 1958, QuitClaim Deed, from EMELINE A. NETTLETON to H. E. NETTLETON and HELEN A. NETTLETON, Bates Numbered Page 100139.

“...together with their appurtenances.”

C: Lot 1

- 1: August 24, 1985, Warranty Deed from HELEN A. NETTLETON (Estate of Hubert E. Nettleton) to JOYCE LIVESTOCK COMPANY, a limited partnership, Number 187405, Bates Numbered Pages 100168-100171.

"To have and to hold the said premises, with their appurtenances unto the said grantee its successors and assigns forever."

D. NE 1/4 of the NW 1/4

- 1: August 24, 1985, Warranty Deed from HELEN A. NETTLETON (Estate of Hubert E. Nettleton) to JOYCE LIVESTOCK COMPANY, a limited partnership, Number 187405, Bates Numbered Pages 100168-100171.

"To have and to hold the said premises, with their appurtenances unto the said grantee its successors and assigns forever."

E: NE1/4

- 1: August 24, 1985, Warranty Deed from HELEN A. NETTLETON (Estate of Hubert E. Nettleton) to JOYCE LIVESTOCK COMPANY, a limited partnership, Number 187405, Bates Numbered Pages 100168-100171.

"To have and to hold the said premises, with their appurtenances unto the said grantee its successors and assigns forever."

SECTION THIRTY-ONE (31):

A: Lot 2

- 1: June 1, 1898, Homestead Certificate No. 1358, Application 4012, President WILLIAM McKINLEY to MARY JOYCE. Bates Numbered Pages 100150-100152

"assigns 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..."

- 2: March 12, 1908, Deed, from MARY JOYCE (deceased)(Anna F. Joyce administrator) to MATT JOYCE, Bates Numbered Pages 100153-100156.

"together with all the tenements, hereditaments and appurtenances whatsoever to

the same belonging or in anywise appertaining."

- 3: March 25, 1908, Deed from MARY JOYCE (deceased) (Anna F. Joyce administrator) to MATT JOYCE, Bates Numbered Pages 100157-100160. "Deed is given for the purpose of correcting a former deed between the same parties recorded in Book (4) of the Deeds, Page 266..."
- 4: April 18, 1931, Warranty Deed from MATTHEW JOYCE to JOYCE BROS. LIVESTOCK COMPANY, a corporation, Number 42650, Bates Numbered Pages 100161-100162.

"Together with all and singular the tenements, hereditaments and appurtenances thereunto..."

- 5: March 31, 1939, Warranty Deed from JOYCE BROS. LIVESTOCK COMPANY, a corporation to HUBERT E. NETTLETON, Number 39912, Bates Numbered Pages 100163-100167.
- 6: January 2, 1951, Deed, from EMELINE A. NETTLETON to HUBERT E. NETTLETON (Bad Copy), Bates Numbered Pages 100140-100143.

ILLEGIBLE

- 7: August 24, 1985, Warranty Deed from HELEN A. NETTLETON (Estate of Hubert E. Nettleton) to JOYCE LIVESTOCK COMPANY, a limited partnership, Number 187405, Bates Numbered Pages 100168-100171.

"To have and to hold the said premises, with their appurtenances unto the said grantee its successors and assigns forever."

B: Lot 3

- 1: June 1, 1898, Homestead Certificate No. 1358, Application 4012, President WILLIAM McKINLEY to MARY JOYCE. Bates Numbered Pages 100150-100152

"assigns 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..."

- 2: March 12, 1908, Deed, from MARY JOYCE (deceased)(Anna F. Joyce administrator) to MATT JOYCE, Bates Numbered Pages 100153-100156.

"together with all the tenements, hereditaments and appurtenances whatsoever to the same belonging or in anywise appertaining."

- 3: March 25, 1908, Deed from MARY JOYCE (deceased) (Anna F. Joyce administrator) to MATT JOYCE, Bates Numbered Pages 100157-100160.
"Deed is given for the purpose of correcting a former deed between the same parties recorded in Book (4) of the Deeds, Page 266...."
- 4: April 18, 1931, Warranty Deed from MATTHEW JOYCE to JOYCE BROS. LIVESTOCK COMPANY, a corporation, Number 42650, Bates Numbered Pages 100161-100162.

"Together with all and singular the tenements, hereditaments and appurtenances thereunto..."

- 5: March 31, 1939, Warranty Deed from JOYCE BROS. LIVESTOCK COMPANY, a corporation to HUBERT E. NETTLETON, Number 39912, Bates Numbered Pages 100163-100167.
- 6: January 2, 1951, Deed, from EMELINE A. NETTLETON to HUBERT E. NETTLETON (Bad Copy), Bates Numbered Pages 100140-100143.

ILLEGIBLE

- 7: August 24, 1985, Warranty Deed from HELEN A. NETTLETON (Estate of Hubert E. Nettleton) to JOYCE LIVESTOCK COMPANY, a limited partnership, Number 187405, Bates Numbered Pages 100168-100171.

"To have and to hold the said premises, with their appurtenances unto the said grantee its successors and assigns forever."

C: Description Below:

- 1: March 25, 1935, Warranty Deed from JOYCE BROS. LIVESTOCK COMPANY a corporation, to HUBERT E. NETTLETON, Number 49658, Bates Numbered Pages 100131-100133.

"Together with all water, water rights, ditches and right of way for ditches now used in irrigating said land or appurtenant thereto."

"Beginning at the north-east corner of the Northeast Quarter of the Northwest quarter (NE 1/4NW1/4), Section Thirty-one, Township Three South of Range One West, thence running due south eight hundred fifty feet, thence southwest in a

straight line to the southwest corner of the Northeast Quarter of the Northwest Quarter (NE1/4NW1/4), Section Thirty-one (31), thence due north to the Northwest corner of the Northeast Quarter of the Northwest Quarter, Section Thirty-one, thence due east to the point of beginning, containing thirty-three and eighty-eight hundredths acres."

- 2: April 2, 1940, Warranty Deed from HUBERT E. NETTLETON, to J. J. NETTLETON, Number 60247, Bates Numbered Pages 100134-100135.
- 3: December 15, 1943, Warranty Deed from J. H. NETTLETON to EMELINE A. NETTLETON, Number 76716, Bates Numbered Pages 100136-100137.

D. E1/2 of the NW 1/4
(E½ of the NW1/4) per Vol. 4 Page 266.)

- 1: June 1, 1898, Homestead Certificate No. 1358, Application 4012, President WILLIAM McKINLEY to MARY JOYCE. Bates Numbered Pages 100150-100152

"assigns 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...."

- 2: March 12, 1908, Deed, from MARY JOYCE (deceased)(Anna F. Joyce administrator) to MATT JOYCE, Bates Numbered Pages 100153-100156.

"together with all the tenements, hereditaments and appurtenances whatsoever to the same belonging or in anywise appertaining."

- 3: March 25, 1908, Deed from MARY JOYCE (deceased) (Anna F. Joyce administrator) to MATT JOYCE, Bates Numbered Pages 100157-100160.
"Deed is given for the purpose of correcting a former deed between the same parties recorded in Book (4) of the Deeds, Page 266...."
- 4: April 18, 1931, Warranty Deed from MATTHEW JOYCE to JOYCE BROS. LIVESTOCK COMPANY, a corporation, Number 42650, Bates Numbered Pages 100161-100162.

"Together with all and singular the tenements, hereditaments and appurtenances thereunto..."

- 5: January 2, 1951, Deed, from EMELINE A. NETTLETON to HUBERT E.

NETTLETON (Bad Copy), Bates Numbered Pages 100140-100143.

ILLEGIBLE

- 6: August 24, 1985, Warranty Deed from HELEN A. NETTLETON (Estate of Hubert E. Nettleton) to JOYCE LIVESTOCK COMPANY, a limited partnership, Number 187405, Bates Numbered Pages 100168-100171.

“To have and to hold the said premises, with their appurtenances unto the said grantee its successors and assigns forever.”

- E. S1/2 of the NW1/4
NE 1/4 of the NW1/4
NW1/4 of the SW1/4

- 1: December 15, 1958, Quit Claim Deed, from EMELINE A. NETTLETON to H. E. NETTLETON and HELEN A NETTLETON, Bates Numbered Page 100139.

“...together with their appurtenances.”

- F: SE1/4 of the NW1/4
NE1/4 of the NW 1/4

- 1: March 31, 1939, Warranty Deed from JOYCE BROS. LIVESTOCK COMPANY, a corporation to HUBERT E. NETTLETON, Number 39912, Bates Numbered Pages 100163-100167. EXCEPT:

Beginning at the north-east corner of the Northeast Quarter of the Northwest quarter (NE1/4NW1/4), Section Thirty-one, Township Three South of Range One West, thence running due south eight hundred fifty feet, thence southwest in a straight line to the southwest corner of the Northeast Quarter of the Northwest Quarter (NE1/4NW1/4), Section Thirty-one (31), thence due north to the Northwest corner of the Northeast Quarter of the Northwest Quarter, Section Thirty-one, thence due east to the point of beginning, containing thirty-three and eighty-eight hundredths acres.

TOWNSHIP 4 SOUTH, RANGE 2 WEST

SECTION ONE (1):

A: Lot 2

- 1: June 10, 1898, Homestead Certificate No. 1360, Application 4009, Bates Numbered Pages 100015-100016.
Homestead grant to MATTHEW JOYCE from President WILLIAM McKINLEY.

“To have and to hold the said tract of land with the appurtenances thereof, unto the said Matthew Joyce and to his heirs and assigns forever subject to any vested and accrued water rights...”

- 2: March 12th, 1898. Quit Claim Deed from MATTHEW JOYCE to QUIZNEE P. LAMBERT.(Bates Number Page 100049).
Quit Claim Deed does not indicate a water right is included with this Deed, but does state "the appurtenances thereunto belonging...."
- 3: March 25, 1915, Warranty Deed between GRANT LEAS To MATTHEW JOYCE, Number 20649, Bates Numbered Pages 100064-100066.

"Together will all ditches and water rights belonging thereto."

- 4: March 31, 1939, Warranty Deed between JOYCE BROTHERS LIVESTOCK COMPANY to HUBERT E. NETTLETON, et al., Number 59912, Bates Numbered Pages 10038-10042.
"conveyed to it, to Emeline A. Nettleton and Hubert E. Nettleton, a partnership doing business under the firm name of Joyce Livestock Company...."
- 5: April 18, 1931, Warranty Deed between MATTHEW JOYCE to JOYCE BROTHERS LIVESTOCK COMPANY, a corporation, Number 42650, Bates Numbered Pages 100034-100035.

“Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging...”

- 6: January 2, 1951, ¼ Interest Deed between HUBERT NETTLETON and EMELINE NETTLETON to? (Cannot read document), Bates Numbered Pages 100069-100072.

“Together with all reservoirs, reservoir sites, water, water rights, ditches and rights-of-way for ditches....”

- 7: August 24, 1985, Warranty Deed between HELEN A NETTLETON (personal representative of Hubert E. Nettleton Estate) to JOYCE LIVESTOCK COMPANY, a limited partnership, Number 187405, Bates Numbered Pages 100073-100076.

“To have and to hold the said premises, with their appurtenances unto the said grantee, its successors and assigns forever.”

B: Lot 3
SE 1/4 NW1/4
SW 1/4 NE1/4

- 1: Homestead Certificate No. 1376; Application 4057; Bates Numbered Pages 100017-100018
Homestead grant to QUIZNEE P. LAMBERT from President WILLIAM McKINLEY dated October 13, 1898.
Grant to Quiznee P. Lambert is subject to "any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes...."
- 2: March 25, 1915, Warranty Deed between GRANT LEAS To MATTHEW JOYCE, Number 20649, Bates Numbered Pages 100064-100066.

"Together will all ditches and water rights belonging thereto."

- 3: March 31, 1939, Warranty Deed between JOYCE BROTHERS LIVESTOCK COMPANY to HUBERT E. NETTLETON, et al., Number 59912, Bates Numbered Pages 10038-10042.
"[c]onveyed to it, to Emeline A. Nettleton and Hubert E. Nettleton, a partnership doing business under the firm name of Joyce Livestock Company...."
- 4: April 18, 1931, Warranty Deed between MATTHEW JOYCE to JOYCE BROTHERS LIVESTOCK COMPANY, a corporation, Number 42650, Bates Numbered Pages 100034-100035.

“Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging...”

- 5: January 2, 1951, ½ Interest Deed between HUBERT NETTLETON and EMELINE NETTLETON to ? (Cannot read document), Bates Numbered

“Together with all reservoirs, reservoir sites, water, water rights, ditches and rights-of-way for ditches....”

- 6: August 24, 1985, Warranty Deed between HELEN A. NETTLETON (personal representative of Hubert E. Nettleton Estate) to JOYCE LIVESTOCK COMPANY, a limited partnership, Number 187405, Bates Numbered Pages 100073-100076.

“To have and to hold the said premises, with their appurtenances unto the said grantee, its successors and assigns forever.”

- C: N1/2 of the SW1/4
SW1/4 of the SW1/4

- 1: Homestead Certificate No. 330; Application 4008, Bates Numbered Pages 100012-100014.
Homestead grant to JOHN H. CROCHERON from President WILLIAM McKINLEY dated June 1898.
Grant to John H. Crocheron is subject to "any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes...."
- 2: July 7, 1901; Deed: JOHN H. CROCHERON to MARY CROCHERON; Number 3752, Bates Numbered Pages 100019-100021.

“Together with all and singular the tenements, hereditaments and appurtenances thereunto...”

- 3: June 7, 1905; Deed: A.B. CROCHERON, et al. to MARY CROCHERON; Bates Number Pages 100022-100023.

“Together with all and singular the tenements, hereditaments and appurtenances thereunto...”

- 4: November 1, 1907, Warranty Deed between MARY J. CROCHERON to CHARLES HARDER, Number 2940, Bates Numbered Pages 100044-100046.

"Together with all water rights appurtenant to said lands and used therewith of every kind..."

- 5: February 3, 1908, Quit Claim Deed between A.B. CROCHERON et al., to

CHARLES HARDER, Number 3370, Bates Numbered Pages
100047-100048.

"Assigns, all water, water rights, ditches, canals, flumes and rights of way
for ditches...."

- 6: December 29, 1914, Warranty Deed between ELLA C. HARDENBERG
(formerly Ella C. Harder) to JAY D. KIMBALL, Number 11891, Bates
Numbered Pages 100052-100054.

"subject to the agreement of grantor permitting the JOYCE BROTHERS
to have the upper field of said premises to feed their cattle in until the 1st
day of March 1915..."

"Together will all water rights thereunto belonging, whether acquired by
appropriation, purchase or by virtue...."

- 7: December 29, 1914, Quit Claim Deed between ERNEST HARDENBURG
(Estate of Ella C. Hardenburg, formerly Ella C. Harder) to JAY D.
KIMBALL, Number 11892, Bates Numbered Pages 100055-100057.

"together will all water rights thereunto belonging, whether acquired by
appropriation, purchase or by virtue of a decree of the court."

- 8: September 29, 1917, Deed between JAY D. KIMBALL to MIGUEL
GABICA, Number 15971, Bates Numbered Pages 100058-100060.

"Together with all water, water rights, ditch, ditches, and ditch rights of any and
every nature whatsoever, thereunto belonging or in anywise appertaining."

- 9: September 29, 1917, Warranty Deed between MIGUEL GABICA to
EMETERIO QUINTANA, Number 20061, Bates Numbered Pages
100061-100063.

"Together with all water, water rights, ditch, ditches, and ditch rights of
any and every nature whatsoever, thereunto belonging or in anywise
appertaining."

- 10: March 22, 1920, Warranty Deed between EMETERIO QUINTANA to
LUIS OLARIAGA, Number 37534, Bates Numbered Pages
100067-100068.

"together with all water, water rights, ditch, ditches and ditch rights thereunto

belonging or in any wise appertaining."

- 11: September 29, 1923, Warranty Deed between LUIS OLARIAGA to EMETERLO QUINTANA, Number 37535, Bates Numbered Pages 100024-100025.

"Together with all and singular the tenements, hereditaments and appurtenances thereunto..."

- 12: July 27, 1928, Warranty Deed between EMETERIO QUINTANA to MODESTO ASPERE, Number 37538, Bates Numbered Pages 100026-100027.

"Together with all water, water rights, ditch, ditches and ditch rights thereunto belonging or in anywise appertaining, whether acquired by appropriation, purchase or by virtue of a decree of the court."

- 13: November 30, 1928, Warranty Deed between MODESTO ASPERE to AGUSTIN SALOVE, Number 38197, Bates Numbered Pages 100028-100029.

"together with all water, water rights, ditch and ditch rights and rights-of-way for ditches or canals thereunto appertaining."

- 14: March 19, 1929, Warranty Deed between AGUSTIN SALOVE to JAMES JOYCE, Number 39668, Bates Numbered Pages 100032-100033.

"together with all water, water rights, ditch and ditch rights and rights-of-way for ditches or canals thereunto appertaining."

- 15: March 31, 1939, Warranty Deed between JOYCE BROTHERS LIVESTOCK COMPANY to HUBERT E. NETTLETON, et al., Number 59912, Bates Numbered Pages 10038-10042.

"conveyed to it, to Emeline A. Nettleton and Hubert E. Nettleton, a partnership doing business under the firm name of Joyce Livestock Company..."

- 16: January 2, 1951, ½ Interest Deed between HUBERT NETTLETON and EMELINE NETTLETON to ? (Cannot read document), Bates Numbered Pages 100069-100072.

"Together with all reservoirs, reservoir sites, water, water rights, ditches and rights-of-way for ditches...."

- 17: December 14, 1965, Quit Claim Deed between EMELINE A. NETTLETON to H.E. NETTLETON, and HELEN A. NETTLETON, Bates Numbered Page 100043.

"...together with their appurtenances."

- 18: August 24, 1985, Warranty Deed between HELEN A. NETTLETON (personal representative of Hubert E. Nettleton Estate) to JOYCE LIVESTOCK COMPANY, a limited partnership, Number 187405, Bates Numbered Pages 100073-100076.

"To have and to hold the said premises with their appurtenances unto t he said grantee, its successors and assigns forever."

D: E1/2 NW1/4
W1/2 NE1/4

2. December 14, 1965, Quit Claim Deed between EMELINE A. NETTLETON to H.E. NETTLETON, and HELEN A. NETTLETON, Bates Numbered Page 100043.

"...together with their appurtenances."

E: W1/2 of the SW 1/4
NE 1/4 of the SW 1/4

- 1: July 26, 1929, Quit Claim Deed between WESTERN LOAN & INVESTMENT COMPANY to AGUSTIN SALOVE, Number 39459, Bates Numbered Pages 100030-100031.

"Together with all and singular the tenements, hereditaments and appurtenances thereunto..."

SECTION TWO (2):

A: SE1/4 of the SE1/4

- 1: Homestead Certificate No. 330; Application 4008, Bates Numbered Pages 100012-100014.
Homestead grant to JOHN H. CROCHERON from President WILLIAM McKINLEY dated June 1898.
Grant to John H. Crocheron is subject to "any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes...."

- 2: July 7, 1901; Deed: JOHN H. CROCHERON to MARY CROCHERON; Number 3752, Bates Numbered Pages 100019-100021.

"Together with all and singular the tenements, hereditaments and appurtenances thereunto..."

- 3: November 1, 1907, Warranty Deed between MARY J. CROCHERON to CHARLES HARDER, Number 2940, Bates Numbered Pages 100044-100046.

"Together with all water rights appurtenant to said lands and used therewith of every kind...."

- 4: February 3, 1908, Quit Claim Deed between A.B. CROCHERON et al., to CHARLES HARDER, Number 3370, Bates Numbered Pages 100047-100048.

"Assigns, all water, water rights, ditches, canals, slumes and rights of way for ditches...."

- 5: December 29, 1914, Warranty Deed between ELLA C. HARDENBERG (formerly Ella C. Harder) to JAY D. KIMBALL, Number 11891, Bates Numbered Pages 100052-100054.

"subject to the agreement of grantor permitting the JOYCE BROTHERS to have the upper field of said premises to feed their cattle in until the 1st day of March 1915..."

"Together will all water rights thereunto belonging, whether acquired by appropriation, purchase or by virtue...."

- 6: December 29, 1914, Quit Claim Deed between ERNEST HARDENBURG (Estate of Ella C. Hardenburg, formerly Ella C. Harder) to JAY D. KIMBALL, Number 11892, Bates Numbered Pages 100055-100057.

"together will all water rights thereunto belonging, whether acquired by appropriation, purchase or by virtue of a decree of the court."

- 7: September 29, 1917, Deed between JAY D. KIMBALL to MIGUEL GABICA, Number 15971, Bates Numbered Pages 100058-100060.

"Together with all water, water rights, ditch, ditches, and ditch rights of any and every nature whatsoever, thereunto belonging or in anywise appertaining."

- 8: March 22, 1920, Warranty Deed between EMETERIO QUINTANA to LUIS OLARIAGA, Number 37534, Bates Numbered Pages 100067-100068.

"together with all water, water rights, ditch, ditches and ditch rights thereunto belonging or in any wise appertaining."

- 9: September 29, 1923, Warranty Deed between LUIS OLARIAGA to EMETERIO QUINTANA, Number 37535, Bates Numbered Pages 100024-100025.

"Together with all and singular the tenements, hereditaments and appurtenances thereunto..."

- 10: July 27, 1928, Warranty Deed between EMETERIO QUINTANA to MODESTO ASPERE, Number 37538, Bates Numbered Pages 100026-100027.

"Together with all water; water rights, ditch, ditches and ditch rights thereunto belonging or in anywise appertaining, whether acquired by appropriation, purchase or by virtue of a decree of the court."

- 11: November 30, 1928, Warranty Deed between MODESTO ASPERE to AGUSTIN SALOVE, Number 38197, Bates Numbered Pages 100028-100029.

"together with all water, water rights, ditch and ditch rights and rights-of-way for ditches or canals thereunto appertaining."

- 12: March 19, 1929, Warranty Deed between AGUSTIN SALOVE to JAMES JOYCE, Number 39668, Bates Numbered Pages 100032-100033.

"together with all water, water rights, ditch and ditch rights and rights-of-way for ditches or canals thereunto appertaining."

B: SW1/4 of the SE1/4

- 1: Homestead Certificate NO 1814; Application 4011, Bates Numbered Pages 100077-100078.
Homestead grant to GEORGE A. CROCHERON from President THEODORE ROOSEVELT, dated October 20, 1902.
Grant to George A. Crocheron is subject to "any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes...."

- 2: January 14, 1907, Warranty Deed between GEORGE A. CROCHERON and MARY J. CROCHERON. Number 2627, Bates Numbered Pages 100079-100080.

“Together with all and singular the tenements, hereditaments and appurtenances thereunto...”

- 3: November 1, 1907, Warranty Deed between MARY J. CROCHERON to CHARLES HARDER, Number 2940, Bates Numbered Pages 100044-100046.

"Together with all water rights appurtenant to said lands and used therewith of every kind...."

- 4: December 29, 1914, Warranty Deed between ELLA C. HARDENBERG (formerly Ella C. Harder) to JAY D. KIMBALL, Number 11891, Bates Numbered Pages 100052-100054.

[Subject] to the agreement of grantor permitting the JOYCE BROTHERS to have the upper field of said premises to feed their cattle in until the 1st day of March 1915...."

"Together will all water rights thereunto belonging, whether acquired by appropriation, purchase or by virtue...."

- 5: December 29, 1914, Quit Claim Deed between ERNEST HARDENBURG (Estate of Ella C. Hardenburg, formerly Ella C. Harder) to JAY D. KIMBALL, Number 11892, Bates Numbered Pages 100055-100057.

"together will all water rights thereunto belonging, whether acquired by appropriation, purchase or by virtue of a decree of the court."

- 6: September 29, 1917, Deed between JAY D. KIMBALL to MIGUEL GABICA, Number 15971, Bates Numbered Pages 100058-100060.

"Together with all water, water rights, ditch, ditches, and ditch rights of any and every nature whatsoever, thereunto belonging or in anywise appertaining."

- 7: March 22, 1920, Warranty Deed between EMETERIO QUINTANA to LUIS OLARIAGA, Number 37534, Bates Numbered Pages 100067-100068.

"together with all water, water rights, ditch, ditches and ditch rights thereunto

belonging or in any wise appertaining."

8: September 29, 1923, Warranty Deed between LUIS OLARIAGA to EMETERIO QUINTANA, Number 37535, Bates Numbered Pages 100024-100025.

9: July 27, 1928, Warranty Deed between EMETERIO QUINTANA to MODESTO ASPERE, Number 37538, Bates Numbered Pages 100026-100027.

"Together with all water, water rights, ditch, ditches and ditch rights thereunto belonging or in anywise appertaining, whether acquired by appropriation, purchase or by virtue of a decree of the court."

10: November 30, 1928, Warranty Deed between MODESTO ASPERE to AGUSTIN SALOVE, Number 38197, Bates Numbered Pages 100028-100029.

"together with all water, water rights, ditch and ditch rights and rights-of-way for ditches or canals thereunto appertaining."

11: March 19, 1929, Warranty Deed between AGUSTIN SALOVE to JAMES JOYCE, Number 39668, Bates Numbered Pages 100032-100033.

"together with all water, water rights, ditch and ditch rights and rights-of-way for ditches or canals thereunto appertaining."

C: South 1/2 of SE 1/4

1: September 29, 1917, Warranty Deed between MIGUEL GABICA to EMETERIO QUINTANA, Number 20061, Bates Numbered Pages 100061-100063.

"Together with all water, water rights, ditch, ditches, and ditch rights of any and every nature whatsoever, thereunto belonging or in anywise appertaining

2: July 26, 1929, Quit Claim Deed between WESTERN LOAN & INVESTMENT COMPANY to AGUSTIN SALOVE, Number 39459, Bates Numbered Pages 100030-100031.

3: March 31, 1939, Warranty Deed between JOYCE BROTHERS LIVESTOCK COMPANY to HUBERT E. NETTLETON, et al., Number 59912, Bates Numbered Pages 10038-10042.

"conveyed to it, to Emeline A. Nettleton and Hubert E. Nettleton, a partnership doing business under the firm name of Joyce Livestock Company...."

- 4: January 2, 1951, ½ Interest Deed between HUBERT NETTLETON and EMELINE NETTLETON to? (Cannot read document), Bates Numbered Pages 100069-100072.

"Together with all reservoirs, reservoir sites, water, water rights, ditches and rights-of-way for ditches...."

- 5: December 14, 1965, Quit Claim Deed between EMELINE A. NETTLETON to H.E. NETTLETON, and HELEN A. NETTLETON, Bates Numbered Page 100043.

"...together with their appurtenances."

- 6: August 24, 1985, Warranty Deed between HELEN A. NETTLETON (personal representative of Hubert E. Nettleton Estate) to JOYCE LIVESTOCK COMPANY, a limited partnership, Number 187405, Bates Numbered Pages 100073-100076.

"To have and to hold the said premises with their appurtenances unto the said grantee, its successors and assigns forever."

SECTION ELEVEN (11):

A: N1/2 of the NE 1/4

- 1: Homestead Certificate No 1814; Application 4011, Bates Numbered Pages 100077-100078
Homestead grant to GEORGE A. CROCHERON from President THEODORE ROOSEVELT, dated October 20, 1902.
Grant to George A. Crocheron is subject to "any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes...."
- 2: January 14, 1907, Warranty Deed between GEORGE A. CROCHERON and MARY J. CROCHERON. Number 2627, Bates Numbered Pages 100079-100080.

"Together with all and singular the tenements, hereditaments and appurtenances thereunto..."

- 3: November 1, 1907, Warranty Deed between MARY J. CROCHERON to CHARLES HARDER, Number 2940, Bates Numbered Pages 100044-100046.

"Together with all water rights appurtenant to said lands and used therewith of every kind...."

- 4: December 29, 1914, Warranty Deed between ELLA C. HARDENBERG (formerly Ella C. Harder) to JAY D. KIMBALL, Number 11891, Bates Numbered Pages 100052-100054.

"[s]ubject to the agreement of grantor permitting the JOYCE BROTHERS to have the upper field of said premises to feed their cattle in until the 1st day of March 1915...."

"Together will all water rights thereunto belonging, whether acquired by appropriation, purchase or by virtue...."

- 5: December 29, 1914, Quit Claim Deed between ERNEST HARDENBURG (Estate of Ella C. Hardenburg, formerly Ella C. Harder) to JAY D. KIMBALL, Number 11892, Bates Numbered Pages 100055-100057.

"together will all water rights thereunto belonging, whether acquired by appropriation, purchase or by virtue of a decree of the court."

- 6: September 29, 1917, Deed between JAY D. KIMBALL to MIGUEL GABICA, Number 15971, Bates Numbered Pages 100058-100060.

"Together with all water, water rights, ditch, ditches, and ditch rights of any and every nature whatsoever, thereunto belonging or in anywise appertaining."

- 7: September 29, 1917, Warranty Deed between MIGUEL GABICA to EMETERIO QUINTANA, Number 20061, Bates Numbered Pages 100061-100063.

"Together with all water, water rights, ditch, ditches, and ditch rights of any and every nature whatsoever, thereunto belonging or in anywise appertaining."

March 22, 1920, Warranty Deed between EMETERIO QUINTANA to LUIS OLARIAGA, Number 37534, Bates Numbered Pages 100067-100068.

"together with all water, water rights, ditch, ditches and ditch rights thereunto belonging or in any wise appertaining."

- 9: September 29, 1923, Warranty Deed between LUIS OLARIAGA to EMETERIO QUINTANA, Number 37535, Bates Numbered Pages 100024-100025.

“Together with all and singular the tenements, hereditaments and appurtenances thereunto...”

- 10: July 27, 1928, Warranty Deed between EMETERIO QUINTANA to MODESTO ASPERE, Number 37538, Bates Numbered Pages 100026-100027.

"Together with all water, water rights, ditch, ditches and ditch rights thereunto belonging or in anywise appertaining, whether acquired by appropriation, purchase or by virtue of a decree of the court."

- 11: November 30, 1928, Warranty Deed between MODESTO ASPERE to AGUSTIN SALOVE, Number 38197, Bates Numbered Pages 100028-100029.

"together with all water, water rights, ditch and ditch rights and rights-of-way for ditches or canals thereunto appertaining."

- 12: July 26, 1929, Quit Claim Deed between WESTERN LOAN & INVESTMENT COMPANY to AGUSTIN SALOVE, Number 39459, Bates Numbered Pages 100030-100031.

“Together with all and singular the tenements, hereditaments and appurtenances thereunto...”

- 13: March 19, 1929, Warranty Deed between AGUSTIN SALOVE to JAMES JOYCE, Number 39668, Bates Numbered Pages 100032-100033.

"together with all water, water rights, ditch and ditch rights and rights-of-way for ditches or canals thereunto appertaining."

- 14: March 31, 1939, Warranty Deed between JOYCE BROTHERS LIVESTOCK COMPANY to HUBERT E. NETTLETON, et al., Number 59912, Bates Numbered Pages 10038-10042.

"conveyed to it, to Emeline A. Nettleton and Hubert B. Nettleton, a partnership doing business under the firm name of Joyce Livestock Company...."

- 15: January 2, 1951, ½ Interest Deed between HUBERT NETTLETON and

EMELINE NETTLETON to? (Cannot read document), Bates Numbered Pages 100069-100072.

- 16: December 14, 1965, Quit Claim Deed between EMELINE A. NETTLETON to H.E. NETTLETON, and HELEN A. NETTLETON, Bates Numbered Page 100043.
- 17: August 24, 1985, Warranty Deed between HELEN A. NETTLETON (personal representative of Hubert E. Nettleton Estate) to JOYCE LIVESTOCK COMPANY, a limited partnership, Number 187405, Bates Numbered Pages 100073-100076.

SECTION TWELVE (12):

A: NW 1/4 of the NW 1/4

- 1: Homestead Certificate NO 1814; Application 4011, Bates Numbered Pages 100077-100078.
Homestead grant to GEORGE A. CROCHERON from President THEODORE ROOSEVELT, dated October 20, 1902.
Grant to George A. Crocheron is subject to "any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes...."
- 2: January 14, 1907, Warranty Deed between GEORGE A. CROCHERON and MARY J. CROCHERON. Number 2627, Bates Numbered Pages 100079-100080.

"Together with all and singular the tenements, hereditaments and appurtenances thereunto..."

- 3: November 1, 1907, Warranty Deed between MARY J. CROCHERON to CHARLES HARDER, Number 2940, Bates Numbered Pages 100044-100046.

"Together with all water rights appurtenant to said lands and used therewith of every kind...."

- 4: December 29, 1914, Warranty Deed between ELLA C. IHARDENBERG (formerly Ella C. Harder) to JAY D. KIMBALL, Number 11891, Bates Numbered Pages 100052-100054.

"subject to the agreement of grantor permitting the JOYCE BROTHERS to have the upper field of said premises to feed their cattle in until the 1st day of March

1915...."

"Together will all water rights thereunto belonging, whether acquired by appropriation, purchase or by virtue....

- 5: December 29, 1914, Quit Claim Deed between ERNEST HARDENBURG (Estate of Ella C. Hardenburg, formerly Ella C. Harder) to JAY D. KIMBALL, Number 11892, Bates Numbered Pages 100055-100057.

"together will all water rights thereunto belonging, whether acquired by appropriation, purchase or by virtue of a decree of the court."

- 6: September 29, 1917, Deed between JAY D. KIMBALL to MIGUEL GABICA, Number 15971, Bates Numbered Pages 100058-100060.

"Together with all water, water rights, ditch, ditches, and ditch rights of any and every nature whatsoever, thereunto belonging or in anywise appertaining."

- 7: September 29, 1917, Warranty Deed between MIGUEL GABICA to EMETERIO QUINTANA, Number 20061, Bates Numbered Pages 100061-100063.

"Together with all water, water rights, ditch, ditches, and ditch rights of any and every nature whatsoever, thereunto belonging or in anywise appertaining."

- 8: March 22, 1920, Warranty Deed between EMETERIO QUINTANA to LUIS OLARIAGA, Number 37534, Bates Numbered Pages 100067-100068.

"together with all water, water rights, ditch, ditches and ditch rights thereunto belonging or in any wise appertaining."

- 9: September 29, 1923, Warranty Deed between LUIS OLARIAGA to EMETERIO QUINTANA, Number 37535, Bates Numbered Pages 100024-100025.

"Together with all and singular the tenements, hereditaments and appurtenances thereunto..."

- 10: July 27, 1928, Warranty Deed between EMETERIO QUINTANA to MODESTO ASPERE, Number 37538, Bates Numbered Pages 100026-100027.

"Together with all Water, water rights, ditch, ditches and ditch rights thereunto belonging or in anywise appertaining, whether acquired by appropriation, purchase or by virtue of a decree of the court."

- 11: November 30, 1928, Warranty Deed between MODESTO ASPERE to AGUSTIN SALOVE, Number 38197, Bates Numbered Pages 100028-100029.

"together with all water, water rights, ditch and ditch rights and rights-of-way for ditches or canals thereunto appertaining."

- 12: July 26, 1929, Quit Claim Deed between WESTERN LOAN & INVESTMENT COMPANY to AGUSTIN SALOVE, Number 39459, Bates Numbered Pages 100030-100031.

"Together with all and singular the tenements, hereditaments and appurtenances thereunto..."

- 13: March 19, 1929, Warranty Deed between AGUSTIN SALOVE to JAMES JOYCE, Number 39668, Bates Numbered Pages 100032-100033.

"together with all water, water rights, ditch and ditch rights and rights-of-way for ditches or canals thereunto appertaining."

- 14: March 31, 1939, Warranty Deed between JOYCE BROTHERS LIVESTOCK COMPANY to HUBERT E. NETTLETON, et al., Number 59912, Bates Numbered Pages 1003 8-10042.

"conveyed to it, to Emeline A. Nettleton and Hubert E. Nettleton, a partnership doing business under the firm name of Joyce Livestock Company..."

- 15: January 2, 1951, ½ Interest Deed between HUBERT NETTLETON and EMELINE NETTLETON to? (Cannot read document), Bates Numbered Pages 100069-100072.

"Together with all reservoirs, reservoir sites, water, water rights, ditches and rights-of-way for ditches...."

- 16: December 14, 1965, Quit Claim Deed between EMELINE A. NETTLETON to H.E. NETTLETON, and HELEN A. NETTLETON, Bates Numbered Page 100043.

"...together with their appurtenances."

- 17: August 24, 1985, Warranty Deed between HELEN A. NETTLETON (personal representative of Hubert E. Nettleton Estate) to JOYCE LIVESTOCK COMPANY, a limited partnership, Number 187405, Bates Numbered Pages 100073-100076.

“To have and to hold the said premises with their appurtenances unto the said grantee, its successors and assigns forever.”

SECTION NINETEEN (19):

A: Lot 1

- 1: June 3, 1913, Warranty Deed from MARY E. PAUL To MICHAEL ROCK, Bates Numbered Pages 100261-100263.

"Also any and all water, water rights, ditches and conduits now used or employed for irrigation or domestic use upon said lands, or any part thereof, and particularly the right to divert and appropriate 50 miners inches per second of the waters of Hog Spring, as acquired under and by virtue of that certain notice of appropriation thereof made by the said party of the first part on the 14th day of November, 1899, and recorded in Book 3 of Water rights, at page 736 thereof."

- 2: September 13, 1913, Homestead Grant from President WOODROW WILSON to MARY E. PAUL, Number 10249, Bates Numbered Pages 100259-100260.

“To have and to hold the said tract of land with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights...”

- 3: August 28, 1917, Warranty Deed from MICHAEL ROCK and SARAH ROCK to W.S. McELHOSE, Bates Numbered Pages 100264-100266.

"Also, any and all water, water rights, ditches and conduits now used or employed for irrigation or domestic use upon said lands, or any part thereof, and particularly the right to divert and appropriate 50 miner's inches per second of the waters of Hog Spring, as acquired under and by virtue of that certain notice of appropriation thereof, made by Mary E. Paul, on the 14th day of November, 1899, and recorded in Book 3 of Water Rights, page 736, Owyhee County Records."

- 4: September 6, 1917, QuitClaim Deed from W. S. McELHOSE to CHAS. G. McCULLOUGH, Bates Numbered Pages 100267-100268.

"Also, any and all water, water rights, ditches and conduits now used or employed for irrigation or domestic use upon said lands, or any part thereof, and particularly the right to divert and appropriate 50 miner's inches per second of the waters of Hog Spring, as acquired under and by virtue of that certain notice of appropriation thereof, made by Mary E. Paul, on the 14th day of November, 1899, and recorded in Book 3 of Water Rights, page 736, Owyhee County Records."

- 5: August 5, 1925, TAX DEED from COUNTY TREASURER to OWYHEE COUNTY, Number 31756, Bates Numbered Pages 100269-100272.
(1920)

"...together with all and singular the tenements, hereditaments and appurtenances thereunto..."

- 6: April 14, 1926, DEED from OWYHEE COUNTY to JOHN T. SHEA, Bates Numbered Pages 100273-100276.

"To have and to hold all and singular of the said premises, together with the appurtenances..."

7. March 25, 1927, Warranty Deed from JOHN T. SHEA to MYRTLE H. SHEA, Number 34529, Bates Numbered Pages 100277-100279.

"Together with all and singular the tenements, hereditaments and appurtenances hereunto...."

- 8: September 24, 1951, Warranty Deed from JOHN T. SHEA and MYRTLE H. SHEA to J. H. NETTLETON and JOYCE LIVESTOCK COMPANY, Bates Numbered Pages 100250-100251.
• also grazing rights.

- 9: October 31, 1976, Quitclaim Deed from J. H. NETTLETON and EDITH NETTLETON to JOYCE LIVESTOCK COMPANY, a co-partnership, Number 149300, Bates Numbered Pages 100282-100283.

"To have and to hold all and singular of the said premises, together with the appurtenances..."

B: Lot 2

- 1: June 3, 1913, Warranty Deed from MARY E. PAUL to MICHAEL ROCK, Bates Numbered Pages 100261-100263.

"Also any and all water, water rights, ditches and conduits now used or employed for irrigation or domestic use upon said lands, or any part thereof, and particularly the right to divert and appropriate 50 miner's inches per second of the waters of Hog Spring, as acquired under and by virtue of that certain notice of appropriation thereof made by the said party of the first part on the 14th day of November, 1899, and recorded in Book 3 of Water rights, at page 736 thereof."

September 13, 1913, Homestead Grant from President WOODROW WILSON to MARY E. PAUL, Number 10249, Bates Numbered Pages 100259-100260.

"To have and to hold the said tract of land with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights..."

2: August 28, 1917, Warranty Deed from MICHAEL ROCK and SARAH ROCK to W.S. McELHOSE, Bates Numbered Pages 100264-100266.

"Also, any and all water, water rights, ditches and conduits now used or employed for irrigation or domestic use upon said lands, or any part thereof, and particularly the right to divert and appropriate 50 miner's inches per second of the waters of Hog Spring, as acquired under and by virtue of that certain notice of appropriation thereof, made by Mary E. Paul, on the 14th day of November, 1899, and recorded in Book 3 of Water Rights, page 736, Owyhee County Records."

3: August 5, 1925, TAX DEED from COUNTY TREASURER to OWYHEE COUNTY, Number 31756, Bates Numbered Pages 100269-100272.
(1920)

"...together with all and singular the tenements, hereditaments and appurtenances thereunto..."

4: April 14, 1926, Deed from OWYHEE COUNTY to JOHN T. SHEA, Bates Numbered Pages 100273-100276.

"To have and to hold all and singular of the said premises, together with the appurtenances..."

5: March 25, 1927, Warranty Deed from JOHN T. SHEA to MYRTLE H. SHEA, Number 34529, Bates Numbered Pages 100277-100279.

"Together with all and singular the tenements, hereditaments and appurtenances hereunto...."

- 6: September 24, 1951, Warranty Deed from JOHN T. SHEA and MYRTLE H. SHEA to J. H. NETTLETON and JOYCE LIVESTOCK COMPANY, Bates Numbered Pages 100250-100251.
 - also grazing rights.
- 7: October 31, 1976, Quitclaim Deed from J. H. NETTLETON and EDITH NETTLETON to JOYCE LIVESTOCK COMPANY, a co-partnership, Number 149300, Bates Numbered Pages 100282-100283.

“To have and to hold all and singular of the said premises, together with the appurtenances...”

TOWNSHIP FOUR (4) SOUTH, RANGE THREE (3) WEST

SECTION TWENTY-ONE (21):

B: SE1/4 of the SE1/4

- 1: August 29, 1917, Warranty Deed from FRANK STOBIE to W.S. McELHOSE, Number 15881, Bates Numbered Pages 100239-100241.

“To have and to hold all and singular, the above mentioned and described premises, together with the appurtenances...”

- 2: September 6, 1917, Quitclaim Deed from W.S. McELHOSE to CHAS. G. McCULLOUGH, Number 15882, Bates Numbered Pages 100242-100244.

“To have and to hold, all and singular, the said premises, together with the appurtenances...”

- 3: February 13, 1918, Homestead Grant from President WOODROW WILSON to WILLIAM F. STOBIE, Number 013958, Bates Numbered Page 100249.

“To have and to hold the said tract of land, with the appurtenances thereof...”

- 4: April 11, 1927, Deed from Owyhee County to JOHN T. SHEA, Number 34781, Bates Numbered Pages 100245-100248.

“To have and to hold, all and singular, the said premises, together with the appurtenances...”

- 5: September 24, 1951, Warranty Deed from JOHN T. SHEA and MYRTLE H. SHEA to J. H. NETTLETON and JOYCE LIVESTOCK COMPANY, Bates Numbered Pages 100115.
- also grazing rights.

- 6: October 31, 1976, Quitclaim Deed from J. H. NETTLETON and EDITH NETTLETON to JOYCE LIVESTOCK COMPANY, a co-partnership, Number 149300, Bates Numbered Pages 100252-100253.

"undivided one half interest in"

- 7: July 22, 1987, Bargain and Sale Deed between J. H. NETTLETON and EDITH NETTLETON, Number 191470, Bates Numbered Pages 100254-100255. (Does not list parties of the second part).

"To have and to hold, all and singular, the said premises, together with the appurtenances..."

- 8: August 21, 1996, Personal Representatives Deed (EDITH NETTLETON) (Estate of J. H. Nettleton) to W. F. SCHROEDER, Trustee of the J. H. Nettleton TESTAMENTARY TRUST, and conveys to said Grantee, the ½ interest in Exhibit A, Number 219712, Bates Numbered Pages 100256-100258.

"...with all appurtenances."

SECTION TWENTY-TWO(22):

A: W1/2 of the SW1/4

- 1: August 29, 1917, Warranty Deed from FRANK STOBIE to W.S. McELHOSE, Number 15881, Bates Numbered Pages 100239-100241.

"To have and to hold all and singular, the above mentioned and described premises, together with the appurtenances..."

- 2: September 6, 1917, Quitclaim Deed from W.S. McELHOSE to CHAS. G. McCULLOUGH, Number 15882, Bates Numbered Pages 100242-100244.

"To have and to hold, all and singular, the said premises, together with the appurtenances..."

B: NE1/4 of the SW1/4

- 1: August 29, 1917, Warranty Deed from FRANK STOBIE to W.S. McELHOSE, Number 15881, Bates Numbered Pages 100239-100241.

"To have and to hold all and singular, the above mentioned and described premises, together with the appurtenances..."

- 2: September 6, 1917, Quitclaim Deed from W.S. McELHOSE to CHAS. G. McCULLOUGH, Number 15882, Bates Numbered Pages 100242-100244.

"To have and to hold, all and singular, the said premises, together with the appurtenances..."

C: N1/2 of the SW 1/4

- 1: February 13, 1918, Homestead Grant from President WOODROW WILSON to WILLIAM F. STOBIE, Number 013958, Bates Numbered Page 100249.

"To have and to hold the said tract of land, with the appurtenances thereof..."

- 2: April 11, 1927, Deed from Owyhee County to JOHN T. SHEA, Number 34781, Bates Numbered Pages 100245-100248.

"To have and to hold, all and singular, the said premises, together with the appurtenances..."

- 3: September 24, 1951, Warranty Deed from JOHN T. SHEA and MYRTLE H. SHEA to J. H. NETTLETON and JOYCE LIVESTOCK COMPANY, Bates Numbered Pages 100115.
 - also grazing rights.

- 4: October 31, 1976, Quit Claim Deed from J. H. NETTLETON and EDITH NETTLETON to JOYCE LIVESTOCK COMPANY, a co-partnership, Number 149300, Bates Numbered Pages 100252-100253.

"undivided one half interest in"

- 5: August 21, 1996, Personal Representatives Deed (EDITH NETTLETON) (Estate of J. H. Nettleton) to W. F. SCHROEDER, Trustee of the J. H. Nettleton TESTAMENTARY TRUST, and conveys to said Grantee, the ½

interest in Exhibit A, Number 219712, Bates Numbered Pages 100256-100258.

"...with all appurtenances."

D: SW1/4 of the SW1/4

- 1: February 13, 1918, Homestead Grant from President WOODROW WILSON to WILLIAM F. STOBIE, Number 013958, Bates Numbered Page 100249.

"To have and to hold the said tract of land, with the appurtenances thereof..."

- 2: April 11, 1927, Deed from Owyhee County to JOHN T. SHEA, Number 34781, Bates Numbered Pages 100245-100248.

"To have and to hold, all and singular, the said premises, together with the appurtenances..."

- 3: September 24, 1951, Warranty Deed from JOHN T. SHEA and MYRTLE H. SHEA to J. H. NETTLETON and JOYCE LIVESTOCK COMPANY, Bates Numbered Pages 100115.
 - also grazing rights.
- 4: October 31, 1976, Quitclaim Deed from J. H. NETTLETON and EDITH NETTLETON to JOYCE LIVESTOCK COMPANY, a co-partnership, Number 149300, Bates Numbered Pages 100252-100253.

"undivided one half interest in"

- 5: July 22, 1987, Bargain and Sale Deed between J. H. NETTLETON and EDITH NETTLETON, Number 191470, Bates Numbered Pages 100254-100255. (Does not list parties of the second part).

"To have and to hold, all and singular, the said premises, together with the appurtenances..."

- 6: August 21, 1996, Personal Representatives Deed (EDITH NETTLETON) (Estate of J. H. Nettleton) to W. F. SCHROEDER, Trustee of the J. H. Nettleton TESTAMENTARY TRUST, and conveys to said Grantee, the ½ interest in Exhibit A, Number 219712, Bates Numbered Pages 100256-100258.

"...with all appurtenances."

SECTION TWENTY- FOUR (24):

A: Lot 1

- 1: June 3, 1913, Warranty Deed from MARY E. PAUL To MICHAEL ROCK, Bates Numbered Pages 100261-100263.

"Also any and all water, water rights, ditches and conduits now used or employed for irrigation or domestic use upon said lands, or any part thereof, and particularly the right to divert and appropriate 50 miner's inches per second of the waters of Hog Spring, as acquired under and by virtue of that certain notice of appropriation thereof made by the said party of the first part on the 14th day of November, 1899, and recorded in Book 3 of Water rights, at page 736 thereof."

- 2: September 13, 1913, Homestead Grant from President WOODROW WILSON to MARY E. PAUL, Number 10249, Bates Numbered Pages 100259-100260.

"To have and to hold the said tract of land with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights..."

- 3: August 28, 1917, Warranty Deed from MICHAEL ROCK and SARAH ROCK to W.S. McELHOSE, Bates Numbered Pages 100264-100266.

"Also, any and all water, water rights, ditches and conduits now used or employed for irrigation or domestic use upon said lands, or any part thereof, and particularly the right to divert and appropriate 50 miner's inches per second of the waters of Hog Spring, as acquired under and by virtue of that certain notice of appropriation thereof, made by Mary E. Paul, on the 14th day of November, 1899, and recorded in Book 3 of Water Rights, page 736, Owyhee County Records."

- 4: September 6, 1917, QuitClaim Deed from W. S. McELHOSE to CHAS. G. McCULLOUGH, Bates Numbered Pages 100267-100268.

"Also, any and all water, water rights, ditches and conduits now used or employed for irrigation or domestic use upon said lands, or any part thereof, and particularly the right to divert and appropriate 50 miner's inches per second of the waters of Hog Spring, as acquired under and by virtue of that certain notice of appropriation thereof, made by Mary E. Paul, on the 14th day of November, 1899, and recorded in Book 3 of Water Rights, page 736, Owyhee County Records."

- 5: August 5, 1925, TAX DEED from COUNTY TREASURER to OWYHEE COUNTY, Number 31756, Bates Numbered Pages 100269-100272.
(1920)

“...together with all and singular the tenements, hereditaments and appurtenances thereunto...”

- 6: April 14, 1926, DEED from OWYHEE COUNTY to JOHN T. SHEA, Bates Numbered Pages 100273-100276.

“To have and to hold all and singular of the said premises, together with the appurtenances...”

- 7: March 25, 1927, Warranty Deed from JOHN T. SHEA to MYRTLE H. SHEA, Number 34529, Bates Numbered Pages 100277-100279.

“Together with all and singular the tenements, hereditaments and appurtenances hereunto....”

- 8: September 24, 1951, Warranty Deed from JOHN T. SHEA and MYRTLE H. SHEA to J. H. NETTLETON and JOYCE LIVESTOCK COMPANY, Bates Numbered Pages 100250-100251.

- also grazing rights

- 9: October 31, 1976, Quitclaim Deed from J. H. NETTLETON and EDITH NETTLETON to JOYCE LIVESTOCK COMPANY, a co-partnership, Number 149300, Bates Numbered Pages 100282-100283.

“To have and to hold all and singular of the said premises, together with the appurtenances...”

- 10: August 24, 1985, Warranty Deed, from JOYCE LIVESTOCK COMPANY, a general partnership, HELEN A. NETTLETON to JOYCE LIVESTOCK COMPANY, a Limited Partnership, Number 187406, Bates Numbered Pages 100280-100281.

“To have and to hold the said premises, with their appurtenances...”

B: Lot 2

1. June 3, 1913, Warranty Deed from MARY E. PAUL to MICHAEL ROCK, Bates Numbered Pages 100261-100263.

"Also any and all water, water rights, ditches and conduits now used or employed for irrigation or domestic use upon said lands, or any part thereof, and particularly the right to divert and appropriate 50 miner's inches per second of the waters of Hog Spring, as acquired under and by virtue of that certain notice of appropriation thereof made by the said party of the first part on the 14th day of November, 1899, and recorded in Book 3 of Water rights, at page 736 thereof."

- 2: September 13, 1913, Homestead Grant from President WOODROW WILSON to MARY E. PAUL, Number 10249, Bates Numbered Pages 100259-100260.

"To have and to hold the said tract of land with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights..."

- 3: August 28, 1917, Warranty Deed from MICHAEL ROCK and SARAH ROCK to W.S. McELHOSE, Bates Numbered Pages 100264-100266.

"Also, any and all water, water rights, ditches and conduits now used or employed for irrigation or domestic use upon said lands, or any part thereof, and particularly the right to divert and appropriate 50 miner's inches per second of the waters of Hog Spring, as acquired under and by virtue of that certain notice of appropriation thereof, made by Mary E. Paul, on the 14th day of November, 1899, and recorded in Book 3 of Water Rights, page 736, Owyhee County Records."

- 4: September 6, 1917, Quit Claim Deed from W. S. McELHOSE to CHAS. G. McCULLOUGH, Bates Numbered Pages 100267-100268.

"Also, any and all water, water rights, ditches and conduits now used or employed for irrigation or domestic use upon said lands, or any part thereof, and particularly the right to divert and appropriate 50 miner's inches per second of the waters of Hog Spring, as acquired under and by virtue of that certain notice of appropriation thereof, made by Mary E. Paul, on the 14th day of November, 1899, and recorded in Book 3 of Water Rights, page 736, Owyhee County Records."

- 5: August 5, 1925, TAX DEED from COUNTY TREASURER to OWYHEE COUNTY, Number 31756, Bates Numbered Pages 100269-100272.
(1920)

"...together with all and singular the tenements, hereditaments and appurtenances thereunto..."

- 6: April 14, 1926, DEED from OWYHEE COUNTY to JOHN T. SHEA,

Bates Numbered Pages 100273-100276.

“To have and to hold all and singular of the said premises, together with the appurtenances...”

- 7: March 25, 1927, Warranty Deed from JOHN T. SHEA to MYRTLE H. SHEA, Number 34529, Bates Numbered Pages 100277-100279.

“Together with all and singular the tenements, hereditaments and appurtenances hereunto....”

- 8: September 24, 1951, Warranty Deed from JOHN T. SHEA and MYRTLE H. SHEA to J. H. NETTLETON and JOYCE LIVESTOCK COMPANY, Bates Numbered Pages 100250-100251.
- also grazing rights

- 9: October 31, 1976, Quitclaim Deed from J. H. NETTLETON and EDITH NETTLETON to JOYCE LIVESTOCK COMPANY, a co-partnership, Number 149300, Bates Numbered Pages 100282-100283.

“To have and to hold all and singular of the said premises, together with the appurtenances...”

- 10: August 24, 1985, Warranty Deed, from JOYCE LIVESTOCK COMPANY, a general partnership, HELEN A. NETTLETON to JOYCE LIVESTOCK COMPANY, a Limited Partnership, Number 187406, Bates Numbered Pages 100280-100281.

“To have and to hold the said premises, with their appurtenances...”

SECTION THIRTY-FIVE (35):

A: Lot Three (3)

- 1: May 28, 1919, *Sale of Public Lands*, Number 19244, from President WOODROW WILSON to EMETRIO QUINTANA, Bates Numbered Pages 100206-011207.

“To have and to hold the same, together with all the rights, privileges, immunities, and appurtenances of whatsoever nature...”

- 2: January 14, 1920, Warranty Deed From EMETERIO QUINTANA and SABINA QUINTANA to MODESTO ASPERE Bates Numbered Pages

100208-100210.

“Together with all and singular the tenements, hereditaments and appurtenances thereunto...”

- 3: July 26, 1929, QuitClaim Deed from MODESTO ASPERE to WESTERN LOAN & INVESTMENT COMPANY, Number 41954, Bates Numbered Pages 100211-100212.

“Together with all and singular the tenements, hereditaments and appurtenances thereunto...”

- 4: December 29, 1930, Corporation QuitClaim Deed from WESTERN LOAN & INVESTMENT COMPANY, a corporation to MYRTLE H. SHEA, Number 41955, Bates Numbered Pages 100213-100214.

“Together with all and singular the tenements, hereditaments and appurtenances thereunto...”

- 5: January 5, 1931, TAX DEED from COUNTY TREASURER to OWYHEE COUNTY, Bates Numbered Pages 100215-100217. (1926)

“together with all and singular the tenements, hereditaments and appurtenances thereunto...”

- 6: January 5, 1931, TAX DEED from COUNTY TREASURER to OWYHEE COUNTY, Bates Numbered Pages 100218-100220. (1927)

“together with all and singular the tenements, hereditaments and appurtenances thereunto...”

- 7: June 1, 1931, REDEMPTION DEED, from OWYHEE COUNTY to MYRTLE H. SHEA, Number 42776, Bates Numbered Pages 100221-100222.

“To have and to hold , all and singular the above last mentioned described property, together with appurtenances thereof...”

- 8: September 24, 1951, Warranty Deed from JOHN T. SHEA and MYRTLE H. SHEA to J.H. NETTLETON and JOYCE LIVESTOCK COMPANY, Bates Numbered Pages 100224-100225.
- also grazing rights

- 9: October 31, 1976, Quit Claim Deed from J. H. NETTLETON and EDITH NETTLETON to JOYCE LIVESTOCK COMPANY, a co-partnership, Number 149300, Bates Numbered Pages 100196-100197.

"Together With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof."

- 10: August 24, 1985, Warranty Deed, from JOYCE LIVESTOCK COMPANY, a general partnership, HELEN A. NETTLETON To JOYCE LIVESTOCK COMPANY, a Limited Partnership, Number 187406, Bates Numbered Pages 100232-100233.

"To have and to hold the said premises, with their appurtenances..."

TOWNSHIP FIVE (5) SOUTH, RANGE THREE (3) WEST

SECTION ONE (1):

A: SW1/4 of the SW 1/4

- 1: May 1, 1918, *Sale of Desert Lands*, Number 013667, President WOODROW WILSON to LORENZO PEDRACINI, Bates Numbered Pages 100183-100184.

"To have and to hold the same, together with all the rights, privileges, immunities and appurtenances of whatsoever nature..."

- 2: May, 1918, Warranty Deed from LORENZO PEDRACINI and GIOVANNI PEDRACINI to CHARLES G. McCULLOUGH, Bates Numbered Pages 100185-100187.

"Also, any and all water, water rights, ditches, canals and conduits now used or employed for irrigation or domestic purposes upon said lands or any part thereof."

- 3: January 10, 1920, Quit Claim Deed from J. B. GOWEN and ANTOINETTE M. GOWEN to G. E. STANFIELD, Number 26519, Bates Numbered Pages 100203-100205.

"Also any and all water, water rights, ditches, canals and conduits now used or employed for irrigation or domestic purposes upon said lands, or any part thereof."

- 4: January 4, 1926, TAX DEED, from COUNTY TREASURER to OWYHEE COUNTY, Bates Numbered Pages 100191-100195.

"...together with all and singular the tenements, hereditaments and appurtenances thereunto..."

- 5: April 14, 1926, DEED, from OWYHEE COUNTY to JOHN T. SHEA, Bates Numbered Pages 100198-100202.

"To have and to hold , all and singular the said premises together with the appurtenances..."

- 6: September 24, 1951, Warranty Deed from JOHN T. SHEA and MYRTLE H. SHEA to J.H. NETTLETON and JOYCE LIVESTOCK COMPANY, Bates Numbered Pages 100224-100225.

"Together with all and singular the tenements, hereditaments and appurtenances thereunto..."

"Also grazing rights."

- 7: October 31, 1976, QuitClaim Deed from J. H. NETTLETON and EDITH NETTLETON to JOYCE LIVESTOCK COMPANY, a co-partnership, Number 149300, Bates Numbered Pages 100196-100197.

"Together With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof."

- 8: August 24, 1985, Warranty Deed, from JOYCE LIVESTOCK COMPANY, a general partnership, HELEN A. NETTLETON to JOYCE LIVESTOCK COMPANY, a Limited Partnership, Number 187406, Bates Numbered Pages 100232-100233.

"To have and to hold the said premises with their appurtenances..."

B: SW 1/4 of the SW 1/4 of the 5W1/4

- 1: January 8, 1920, Quit Claim Deed from R.N. STANFIELD and INEZ STANFIELD to J.B. GOWEN, Bates Numbered Pages 100188-100190.

"Also, any and all water rights, ditches, canals and conduits now used..."

SECTION TWO (2):

A: SE 1/4 of the NW 1/4

- 1: May 28, 1919, *Sale of Public Lands*, Number 19244, from President WOODROW WILSON to EMETERIO QUINTANA, Bates Numbered Pages 100206-011207.

“To have and to hold the same, together with all the rights, privileges, immunities, and appurtenances of whatsoever nature...”

- 2: January 14, 1920, Warranty Deed From EMETERIO QUINTANA and SABINA QUINTANA to MODESTO ASPERE, Bates Numbered Pages 100208-100210.

“Together with all and singular the tenements, hereditaments and appurtenances thereunto...”

- 3: July 26, 1929, Quit Claim Deed from MODESTO ASPERE to WESTERN LOAN & INVESTMENT COMPANY, Number 41954, Bates Numbered Pages 100211-100212.

“Together with all and singular the tenements, hereditaments and appurtenances thereunto...”

- 4: December 29, 1930, Corporation Quit Claim Deed from WESTERN LOAN & INVESTMENT COMPANY, a corporation to MYRTLE H. SHEA, Number 41955, Bates Numbered Pages 100213-100214.

“Together with all and singular the tenements, hereditaments and appurtenances thereunto...”

- 5: January 5, 1931, TAX DEED from COUNTY TREASURER to OWYHEE COUNTY, Bates Numbered Pages 100215-100217. (1926)

“together with all and singular the tenements, hereditaments and appurtenances thereunto...”

- 6: January 5, 1931, TAX DEED from COUNTY TREASURER to OWYHEE COUNTY, Bates Numbered Pages 100218-100220. (1927)

“together with all and singular the tenements, hereditaments and appurtenances thereunto...”

- 7: June 1, 1931, REDEMPTION DEED, from OWYHEE COUNTY to MYRTLE H. SHEA, Number 42776, Bates Numbered Pages 100221-100222.

“To have and to hold , all and singular the above last mentioned described property, together with appurtenances thereof...”

- 8: September 24, 1951, Warranty Deed from JOHN T. SHEA and MYRTLE H. SHEA to J.H. NETTLETON and JOYCE LIVESTOCK COMPANY, Bates Numbered Pages 100224-100225.

“Together with all and singular the tenements, hereditaments and appurtenances thereunto...”

- 9: October 31, 1976, QuitClaim Deed from J. H. NETTLETON and EDITH NETTLETON to JOYCE LIVESTOCK COMPANY, a co-partnership, Number 149300, Bates Numbered Pages 100196-100197.

"Together With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof."

B: Lot 3

- 1: May 28, 1919, *Sale of Public Lands*, Number 19244, from President WOODROW WILSON to EMETMO QUINTANA, Bates Numbered Pages 100206-011207.

“To have and to hold the same, together with all the rights, privileges, immunities, and appurtenances of whatsoever nature...”

- 2: January 14, 1920, Warranty Deed From EMETERIO QUINTANA and SABINA QUINTANA to MODESTO ASPERE, Bates Numbered Pages 100208-100210.

“Together with all and singular the tenements, hereditaments and appurtenances thereunto...”

- 3: July 26, 1929, QuitClaim Deed from MODESTO ASPERE to WESTERN LOAN & INVESTMENT COMPANY, Number 41954, Bates Numbered Pages 100211-100212.

“Together with all and singular the tenements, hereditaments and

appurtenances thereunto..."

- 4: December 29, 1930, Corporation QuitClaim Deed from WESTERN LOAN & INVESTMENT COMPANY, a corporation to MYRTLE H. SHEA, Number 41955, Bates Numbered Pages 100213-100214.

"Together with all and singular the tenements, hereditaments and appurtenances thereunto..."

- 5: January 5, 1931, TAX DEED from COUNTY TREASURER to OWYHEE COUNTY, Bates Numbered Pages 100215-100217. (1926)

"together with all and singular the tenements, hereditaments and appurtenances thereunto..."

- 6: January 5, 1931, TAX DEED from COUNTY TREASURER to OWYHEE COUNTY, Bates Numbered Pages 100218-100220. (1927)

"together with all and singular the tenements, hereditaments and appurtenances thereunto..."

- 7: June 1, 1931, REDEMPTION DEED, from OWYHEE COUNTY to MYRTLE H. SHEA, Number 42776, Bates Numbered Pages 100221-100222.

"To have and to hold , all and singular the above last mentioned described property, together with appurtenances thereof..."

- 8: September 24, 1951, Warranty Deed from JOHN T. SHEA and MYRTLE H. SHEA to J.H. NETTLETON and JOYCE LIVESTOCK COMPANY, Bates Numbered Pages 100224-100225.

"Together with all and singular the tenements, hereditaments and appurtenances thereunto..."

- 9: October 31, 1976, QuitClaim Deed from J. H. NETTLETON and EDITH NETTLETON to JOYCE LIVESTOCK COMPANY, a co-partnership, Number 149300, Bates Numbered Pages 100196-100 197.

"Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof"

- 10: August 24, 1985, Warranty Deed, from JOYCE LIVESTOCK COMPANY, a general partnership, HELEN A. NETTLETON To JOYCE LIVESTOCK COMPANY, a Limited Partnership, Number 187406, Bates Numbered Pages 100232-100233.

“To have and to hold the said premises with their appurtenances...”

C: Lot 4

- 1: May 28, 1919, *Sale of Public Lands*, Number 19244, from President WOODROW WILSON to EMETRIO QUINTANA, Bates Numbered Pages 100206-011207.

“To have and to hold the same, together with all the rights, privileges, immunities, and appurtenances of whatsoever nature...”

- 2: January 14, 1920, Warranty Deed From EMETERIO QUINTANA and SABINA QUINTANA to MODESTO ASPERE, Bates Numbered Pages 100208-100210.

“Together with all and singular the tenements, hereditaments and appurtenances thereunto...”

- 3: July 26, 1929, Quit Claim Deed from MODESTO ASPERE to WESTERN LOAN & INVESTMENT COMPANY, Number 41954, Bates Numbered Pages 100211-100212.

“Together with all and singular the tenements, hereditaments and appurtenances thereunto...”

- 4: December 29, 1930, Corporation Quit Claim Deed from WESTERN LOAN & INVESTMENT COMPANY, a corporation to MYRTLE H. SHEA, Number 41955, Bates Numbered Pages 100213-100214.

“Together with all and singular the tenements, hereditaments and appurtenances thereunto...”

- 5: January 5, 1931, TAX DEED from COUNTY TREASURER to OWYHEE COUNTY, Bates Numbered Pages 100215-100217. (1926)

“together with all and singular the tenements, hereditaments and appurtenances thereunto...”

- 6: January 5, 1931, TAX DEED from COUNTY TREASURER to OWYHEE COUNTY, Bates Numbered Pages 100218-100220. (1927)

“together with all and singular the tenements, hereditaments and appurtenances thereunto...”

- 7: June 1, 1931, REDEMPTION DEED, from OW YHEE COUNTY to MYRTLE H. SHEA, Number 42776, Bates Numbered Pages 100221-100222.

“To have and to hold , all and singular the above last mentioned described property, together with appurtenances thereof...”

- 8: September 24, 1951, Warranty Deed from JOHN T. SHEA and MYRTLE H. SHEA to J.H. NETTLETON and JOYCE LIVESTOCK COMPANY, Bates Numbered Pages 100224-100225.

“Together with all and singular the tenements, hereditaments and appurtenances thereunto...”

- 9: October 31, 1976, QuitClaim Deed from J. H. NETTLETON and EDITH NETTLETON to JOYCE LIVESTOCK COMPANY, a co-partnership, Number 149300, Bates Numbered Pages 100196-100197.

"Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof."

- 10: August 24, 1985, Warranty Deed, from JOYCE LIVESTOCK COMPANY, a general partnership, HELEN A. NETTLETON To JOYCE LIVESTOCK COMPANY, a Limited Partnership, Number 187406, Bates Numbered Pages 100232-100233.

D. W1/4 of the NW 1/4
5W1/4 of the SW1/4
E1/2 of the SW1/4
S1/2 of the SE 1/4

- 1: May 16, 1935, Homestead Certificate, Number 49928, from President FRANKLIN D. ROOSEVELT to JOHN T. SHEA. Bates Numbered Page 100233.

- 2: September 24, 1951, Warranty Deed from JOHN T. SHEA and MYRTLE

H. SHEA to J.H. NETTLETON and JOYCE LIVESTOCK COMPANY,
Bates Numbered Pages 100224-100225.

“Together with all and singular the tenements, hereditaments and appurtenances thereunto...”

- 3: October 31, 1976, QuitClaim Deed from J. H. NETTLETON and EDITH NETTLETON to JOYCE LIVESTOCK COMPANY, a co-partnership, Number 149300, Bates Numbered Pages 100196-100197.

"Together With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof."

- 4: August 24, 1985, Warranty Deed, from JOYCE LIVESTOCK COMPANY, a general partnership, HELEN A. NETTLETON to JOYCE LIVESTOCK COMPANY, a Limited Partnership, Number 187406, Bates Numbered Pages 100232-100233. S1/2 of the SE1/4 ONLY.

“To have and to hold the said premises, with their appurtenances...”

- E. S1/2 of the NW1/4
N1/2 of the SW1/4
SE1/4 of the SW1/4
S1/2 of the SF114

- 1: August 24, 1985, Warranty Deed, from JOYCE LIVESTOCK COMPANY, a general partnership, HELEN A. NETTLETON to JOYCE LIVESTOCK COMPANY, a Limited Partnership, Number 187406, Bates Numbered Pages 100232-100233.

“To have and to hold the said premises, with their appurtenances...”

SECTION ELEVEN (11):

- A: SE1/4 of the NE 1/4

- 1: May 1, 1918, *Sale of Desert Lands*, Number 013667, President WOODROW WILSON to LORENZO PEDRACINI, Bates Numbered Pages 100183-100184.

“To have and to hold the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature...”

- 2: May, 1918, Warranty Deed from LORENZO PEDRACINI and GIOVANNI PEDRACINI to CIIAPI ES G. McCULLOUGH, Bates Numbered Pages 100185-100187.

“Also, any and all water, water rights, ditches, canals and conduits now used or employed for irrigation or domestic purposes upon said lands or any part thereof.”

- 3: January 8, 1920, Quit Claim Deed from R.N. STANFIELD and INEZ STANFIELD to J.B. GOWEN, Bates Numbered Pages 100188-100190.

“Also, any and all water rights, ditches, canals and conduits now used...”

- 4: January 10, 1920, Quit Claim Deed from J. B. GOWEN and ANTOINETTE M. GOWEN to G. E. STANFIELD, Number 26519, Bates Numbered Pages 100203-100205.

"Also any and all water, water rights, ditches, canals and conduits now used or employed for irrigation or domestic purposes upon said lands, or any part thereof."

- 5: January 4, 1926, TAX DEED, from COUNTY TREASURER to OWYHEE COUNTY, Bates Numbered Pages 100191-100195.

“To have and to hold, all and singular the above last mentioned and described property, together with the appurtenances thereof...”

- 6: April 14, 1926, DEED, from OWYHEE COUNTY to JOHN T. SHEA, Bates Numbered Pages 100198-100202.

“To have and to hold , all and singular the said premises together with the appurtenances...”

- 7: September 24, 1951, Warranty Deed from JOHN T. SHEA and MYRTLE H. SHEA to J.H. NETTLETON and JOYCE LIVESTOCK COMPANY, Bates Numbered Pages 100224-100225.

“Together with all and singular the tenements, hereditaments and appurtenances thereunto...”

- 8: October 31, 1976, QuitClaim Deed from J. H. NETTLETON and EDITH NETTLETON to JOYCE LIVESTOCK COMPANY, a co-partnership, Number 149300, Bates Numbered Pages 100196-100197.

"Together With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof."

B: N1/2 of the NE 1/4

- 1: July 31, 1918, Homestead Certificate, Number 016195, from President WOODROW WILSON to LORENZO PEDRACINI.
- 2: January 8, 1920, Quit Claim Deed from R.N. STANFIELD and INEZ STANFIELD to J.B. GOWEN, Bates Numbered Pages 100188-100190.

"Also, any and all water rights, ditches, canals and conduits now used..."

- 3: January 10, 1920, Quit Claim Deed from J. B. GOWEN and ANTOINETTE M. GOWEN to G. E. STANFIELD, Number 26519, Bates Numbered Pages 100203-100205.

"Also any and all water, water rights, ditches, canals and conduits now used or employed for irrigation or domestic purposes upon said lands, or any part thereof."

- 4: August 5, 1925, TAX DEED, from COUNTY TREASURER to OWYHEE COUNTY, Bates Numbered Pages 100226-100230.

"To have and to hold, all and singular the above last mentioned and described property, together with the appurtenances thereof..."

- 5: April 14, 1926, DEED, from OWYHEE COUNTY to JOHN T. SHEA, Bates Numbered Pages 100198-100202.

"To have and to hold , all and singular the said premises together with the appurtenances..."

- 6: September 24, 1951, Warranty Deed from JOHN T. SHEA and MYRTLE H. SHEA to J.H. NETTLETON and JOYCE LIVESTOCK COMPANY, Bates Numbered Pages 100224-100225.

"Together with all and singular the tenements, hereditaments and appurtenances thereunto..."

- 7: October 31, 1976, Quit Claim Deed from J. H. NETTLETON and EDITH NETTLETON to JOYCE LIVESTOCK COMPANY, a co-partnership, Number 149300, Bates Numbered Pages 100196-100197.

"Together With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof."

C: E1/2 of the NW1/4 and the South half of Section 11.

- 1: May 16, 1935, Homestead Certificate, Number 49928, from President FRANKLIN D. ROOSEVELT to JOHN T. SHEA. Bates Numbered Page 100233.
- 2: September 24, 1951, Warranty Deed from JOHN T. SHEA and MYRTLE H. SHEA to J.H. NETTLETON and JOYCE LIVESTOCK COMPANY, Bates Numbered Pages 100224-100225.

"Together with all and singular the tenements, hereditaments and appurtenances thereunto..."

- 3: October 31, 1976, QuitClaim Deed from J. H. NETTLETON and EDITH NETTLETON to JOYCE LIVESTOCK COMPANY, a co-partnership, Number 149300, Bates Numbered Pages 100196-100197.

"Together With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof."

- 4: August 24, 1985, Warranty Deed, from JOYCE LIVESTOCK COMPANY, a general partnership, HELEN A. NETTLETON To JOYCE LIVESTOCK COMPANY, a Limited Partnership, Number 187406, Bates Numbered Pages 100232-100233.

"To have and to hold the said premises, with their appurtenances..."

D: E1/2 of the NE1/4
NW1/4 of the NE1/4

- 1: August 24, 1985, Warranty Deed, from JOYCE LIVESTOCK COMPANY, a general partnership, HELEN A. NETTLETON To JOYCE LIVESTOCK COMPANY, a Limited Partnership, Number 187406, Bates Numbered Pages 100232-100233.

"To have and to hold the said premises, with their appurtenances..."

SECTION TWELVE (12):

A: W1/2 of the NW1/4

- 1: May 1, 1918, *Sale of Desert Lands*, Number 013667, President WOODROW WILSON to LORENZO PEDRACINI, Bates Numbered Pages 100183-100184.

"To have and to hold the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature..."

- 2: May, 1918, Warranty Deed from LORENZO PEDRACINI and GIOVANNI PEDRACINI to CHARLES G. McCULLOUGH, Bates Numbered Pages 100185-100187.

"Also, any and all water, water rights, ditches, canals and conduits now used or employed for irrigation or domestic purposes upon said lands or any part thereof."

- 3: January 8, 1920, Quit Claim Deed from R.N. STANFIELD and INEZ STANFIELD to J.B. GOWEN, Bates Numbered Pages 100188-100190.

"Also, any and all water rights, ditches, canals and conduits now used..."

- 4: January 10, 1920, Quit Claim Deed from J. B. GOWEN and ANTOINETTE M. GOWEN to G. F STANFIELD, Number 26519, Bates Numbered Pages 100203-100205.

"Also any and all water, water rights, ditches, canals and conduits now used or employed for irrigation or domestic purposes upon said lands, or any part thereof."

TOWNSHIP FIVE (5) SOUTH, RANGE THREE (3) WEST

- 5: January 4, 1926, TAX DEED, from COUNTY TREASURER to OWYHEE COUNTY, Bates Numbered Pages 100191-100195.

"To have and to hold, all and singular the above last mentioned and described property, together with the appurtenances thereof..."

- 6: April 14, 1926, DEED, from OWYHEE COUNTY to JOHN T. SHEA, Bates Numbered Pages 100198-100202.

"To have and to hold, all and singular the said premises together with the

appurtenances..."

- 7: September 24, 1951, Warranty Deed from JOHN T. SHEA and MYRTLE H. SHEA to J.H. NETTLETON and JOYCE LIVESTOCK COMPANY, Bates Numbered Pages 100224-100225.

"Together with all and singular the tenements, hereditaments and appurtenances thereunto..."

- 8: October 31, 1976, QuitClaim Deed from J. H. NETTLETON and EDITH NETTLETON to JOYCE LIVESTOCK COMPANY, a co-partnership, Number 149300, Bates Numbered Pages 100196-100197.

"Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof."

- 9: August 24, 1985, Warranty Deed, from JOYCE LIVESTOCK COMPANY, a general partnership, HELEN A. NETTLETON to JOYCE LIVESTOCK COMPANY, a Limited Partnership, Number 187406, Bates Numbered Pages 100232-100233.

"To have and to hold the said premises, with their appurtenances..."

CERTIFICATE OF MAILING

I certify that on March 18, 2003, I faxed/mailed the original and copies of the foregoing **APPENDIX 1 TO CLOSING ARGUMENT BY JOYCE LIVESTOCK CO.** to the following persons as indicated below, the original and/or copies, postage paid and addressed as follows:

1. Original to:

Clerk of the Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707
(Via Federal Express)

2. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098
(Via U.S. Mail)

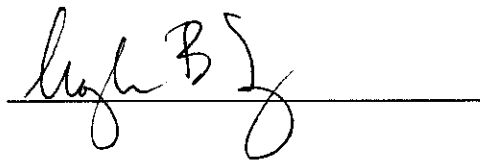
Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449
(Via U.S. Mail)

Larry Brown
United States Dept. of Justice
Environment and Natural Resource Div.
P.O. Box 663
Washington, DC 20044-0663
(Via U.S. Mail)

Richard L. Harris
1023 Arthur Street
Caldwell, ID 83605
(Via U.S. Mail)

United States Department of Justice
Environment and Natural Resource
Division
550 West Fort Street, MSC 033
Boise, ID 83724
(Via U.S. Mail)

State of Idaho
c/o David J. Barber
P.O. Box 83720
Boise, ID 83720-0010
(Via U.S. Mail)



A handwritten signature, appearing to read "Hugh B. J.", is written over a horizontal line.