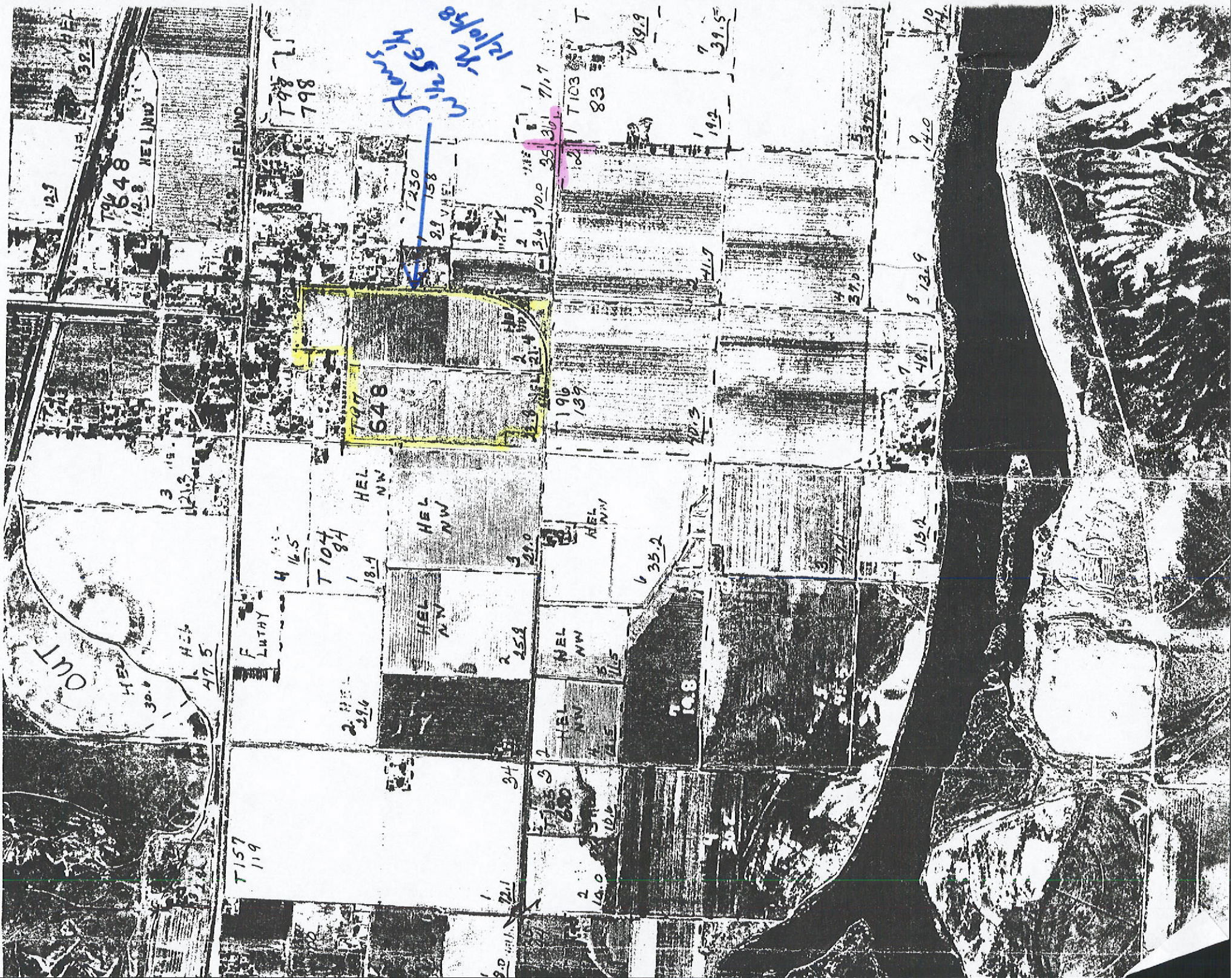




DRE COUNTY SCALE 1 INCH=30 FT.

F. C. Smith

IN WITNESS
unto caused its
Seal affixed the

ATTEST:
C. B. B.

STATE OF IDAHO,
COUNTY OF ADA.
On this 12th day of May, 1925,
Edna I. Hice, a
personally appears
the President of
instrument and
dictated the same.

IN WITNESS
affixed my official
first above writ

This is Applicable

KNOW ALL MEN,
Title and Trust
under the laws of
business at Boise
following description
Southeast quarter
five (35) Town
East, situated
Boise Title and
hereby plat, lay
into lots blocks
South Addition
this plat and the
Iimited, as tra
to the public.
accompanying
IN WITNE
unto caused its
seal affixed

ATTEST: *[Signature]*

STATE OF IDAHO
COUNTY OF ADAMS

On this
me, Edna I. H.
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Land w¹/₂ SE¹/₄ owned by M^cG co.

D'BASE shows

JE shows
L61-07098 pending license classification
to properly describe pln in ~~W 1/2~~ N 1/2 SE 1/4
W 1/2 SE 1/4, not N 1/2 SE 1/4 as
presently licensed.
12/14/98

-82 12/10/98

PLAT OF SOUTH ADDITION TO THE TOWN OF HAMMETT IDAHO

ELMORE COUNTY SCALE 1 INCH=60 FT.

Medbury Valley Investment Co.
22 November 11

H. Smith

11⁸⁵ Paid

KNOW ALL MEN BY THESE PRESENTS, that the Medbury Valley Investment Company, a corporation organized under the laws of the State of Idaho, with its principal place of business at Boise, Ada County, Idaho is the legal owner of the East one-half of the Southeast quarter (E $\frac{1}{2}$ of the S.E. $\frac{1}{4}$) and the equitable owner of the W $\frac{1}{2}$ of said S.E. $\frac{1}{4}$, of section 35 Township Five (5) South, Range Eight (8) East, Elmore County, Idaho, and the said Medbury Valley Investment Company, does hereby plat, lay out and subdivide the said land into lots, blocks, streets and alleys to be known as "South Addition to the Town of Hammett," all as shown by this plat, and the said Medbury Valley Investment Company does hereby grant and dedicate to the public the streets and alleys shown on the accompanying plat.

IN WITNESS WHEREOF, the said Company has hereunto caused its name to be subscribed and its corporate seal affixed this 13th day of January 1911.

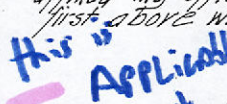
ATTEST: MEDBURY VALLEY INVESTMENT COMPANY

L. G. Bradley Secretary
G. W. Thompson President

STATE OF IDAHO } ss.
COUNTY OF ADA }

On this 13th day of January in the year 1911, before me, Edna L. Hice, a Notary Public in and for said County personally appeared G. W. Thompson known to me to be the President of the corporation that executed the foregoing instrument and acknowledged to me that such corporation executed the same.

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

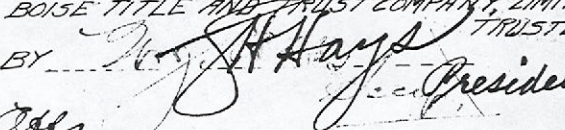
His Appl. 

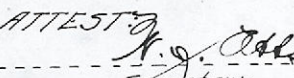
Edna L. Hice
Notary Public.

KNOW ALL MEN BY THESE PRESENTS, that the Boise Title and Trust Company, Limited, a corporation organized under the laws of the State of Idaho with its principal place of business at Boise, Idaho, as Trustee, is the owner of the following described land, to-wit: The West one-half of the Southeast quarter (W $\frac{1}{2}$ of the S.E. $\frac{1}{4}$) of Section Thirty-five (35), Township Five (5) South, Range Eight (8) East, situated in Elmore County, Idaho, and the said Boise Title and Trust Company, Limited, as Trustee, does hereby plat, lay out and subdivide the said described land into lots, blocks, streets and alleys to be known as the "South Addition to the Town of Hammett," all as shown by this plat, and the said Boise Title and Trust Company, Limited, as Trustee, does hereby grant and dedicate to the public the streets and alleys shown on the accompanying plat.

IN WITNESS WHEREOF the said Company has hereunto caused its name to be subscribed and its corporate seal affixed this 13th day of January 1911.

BOISE TITLE AND TRUST COMPANY, LIMITED, TRUSTEE

BY  President

ATTEST: 
Secretary

STATE OF IDAHO } ss.
COUNTY OF ADA }

On this 13th day of January in the year 1911, before me, Edna L. Hice, a Notary Public in and for said County personally appeared Walter J. Abbs known to me to be the Secretary of the corporation that executed the foregoing instrument and acknowledged to me that such corporation executed the same.

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

Edna L. Hice
Notary Public.

I, WALTER R. HEYDE, do hereby certify that the following is a correct description of the land included in the accompanying plat, and which has been platted and subdivided, as show by this plat, to-wit: Southeast quarter (S.E. $\frac{1}{4}$) Section Thirty-five (35) Township Five (5) South, Range Eight (8) East, of the Boise Meridian, situated in Elmore County, Idaho and that this plat has been prepared from actual survey made by me upon the ground, and that the same is true and correct.

Walter R. Heyde
Civil Engineer and Surveyor



WATER RESOURCES

T05S, R08E, S35

Claimant(s): Johnson & Mellum

Claim No(s): 61-07098

Prepared by: Sue Bock

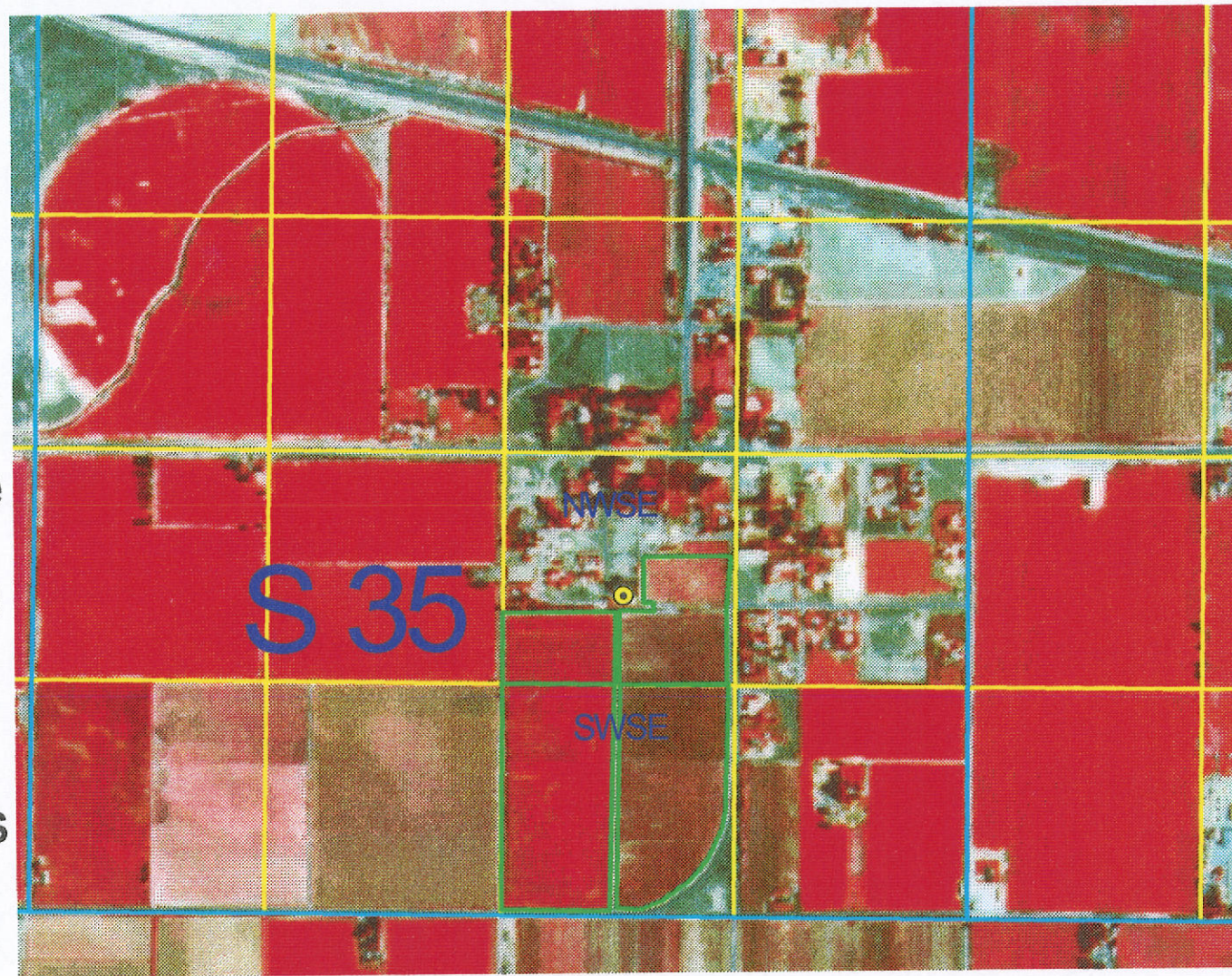
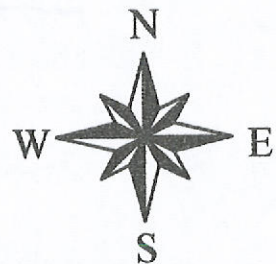
Date: 11/13/1998

 Place of Use

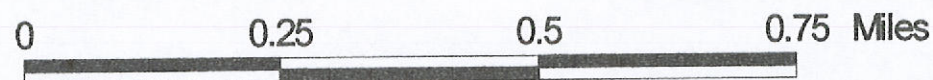
 Point of Diversion

 1/4 1/4 lines

 Section Lines



1987 NAPP Photo



AA-15

SS
SS
6S

Abi-07098 2822

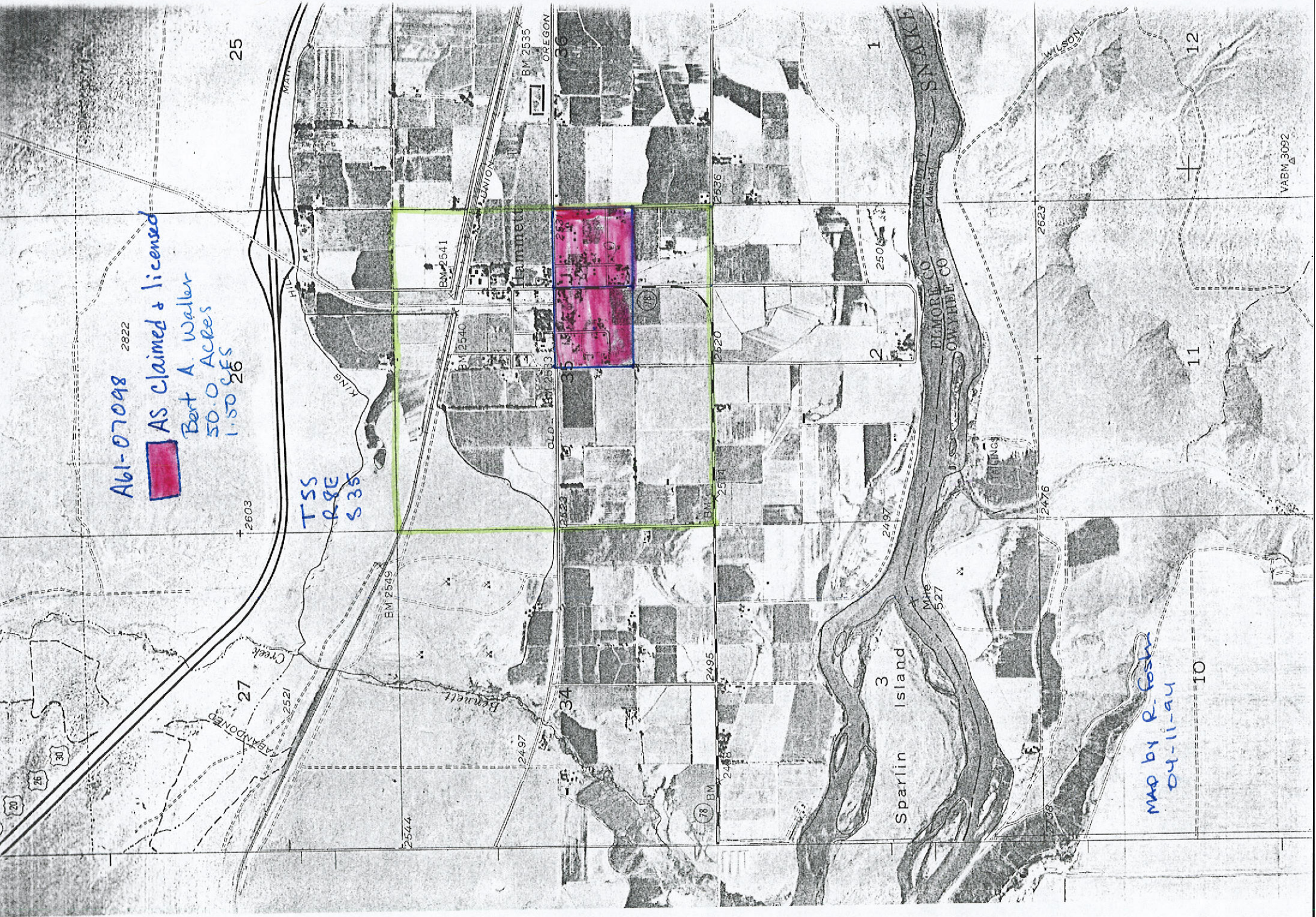
AS claimed & licensed

Bert A. Waller
50.0 Acres
1.50 26



TSS
RGE
S35

Map by R. Foster
04-11-94



VABM 3092

A 19.1
E 113
38

K 335

J 8.3

I 4.7

H 165

K 22.1

A 181

A61-07098
A-313 Bert A. Waller
50.0 ACRES
1.50 CFS

B 57.9

TSS
R 8E
S 35

91

83

35

A-178

C 11.2

D 11.4

80 A

B 160

115 H

F 96

E 10.3

G 40

A 22.4

B 22.8

11.160

A 8.4

C 9.4

E 67

D 10.4

F 22.3

C 3.0

A 11.1

13

B 20.1

A-307

(307-A)

12.5

96 K

70 L

Map by R. Foster
4-11-94

AA-15



AS Shown on ASCS photo
and licensing exam 10-31-77

T55
R86
S38

AGI-0709
Bert A. Waller
50.0 acres
1.50 CFS

MAP by R. Foster
04-11-94

VABM 3092

Sailor

WATER RESOURCES

T05S, R08E, S35

Claimant(s): Johnson & Mellum

Claim No(s): 61-07098

Prepared by: Sue Bock

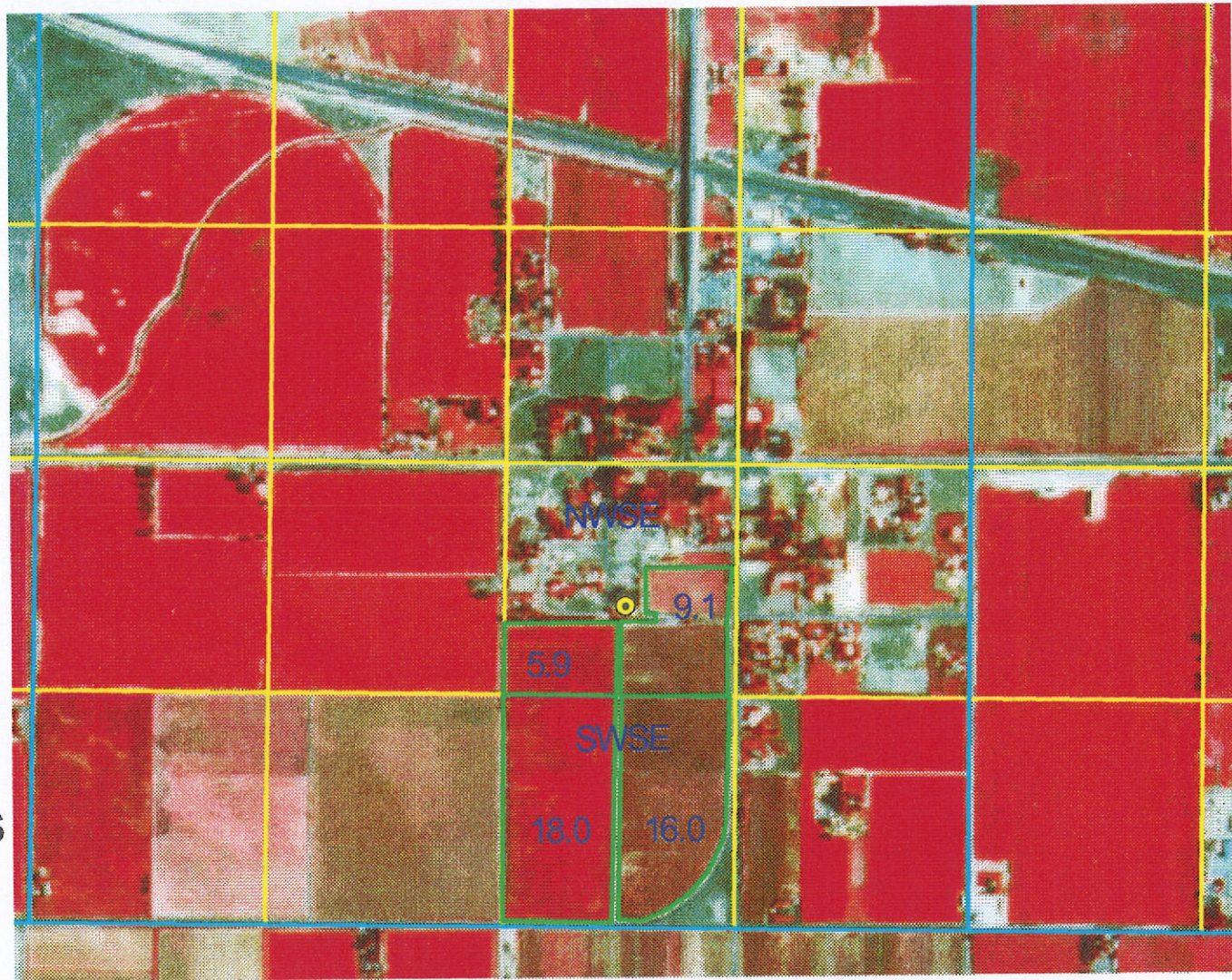
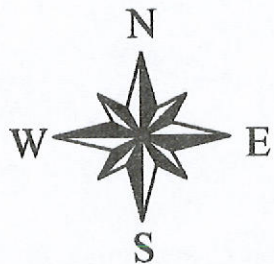
Date: 11/13/1998

 Place of Use

 Point of Diversion

 1/4 1/4 lines

 Section Lines



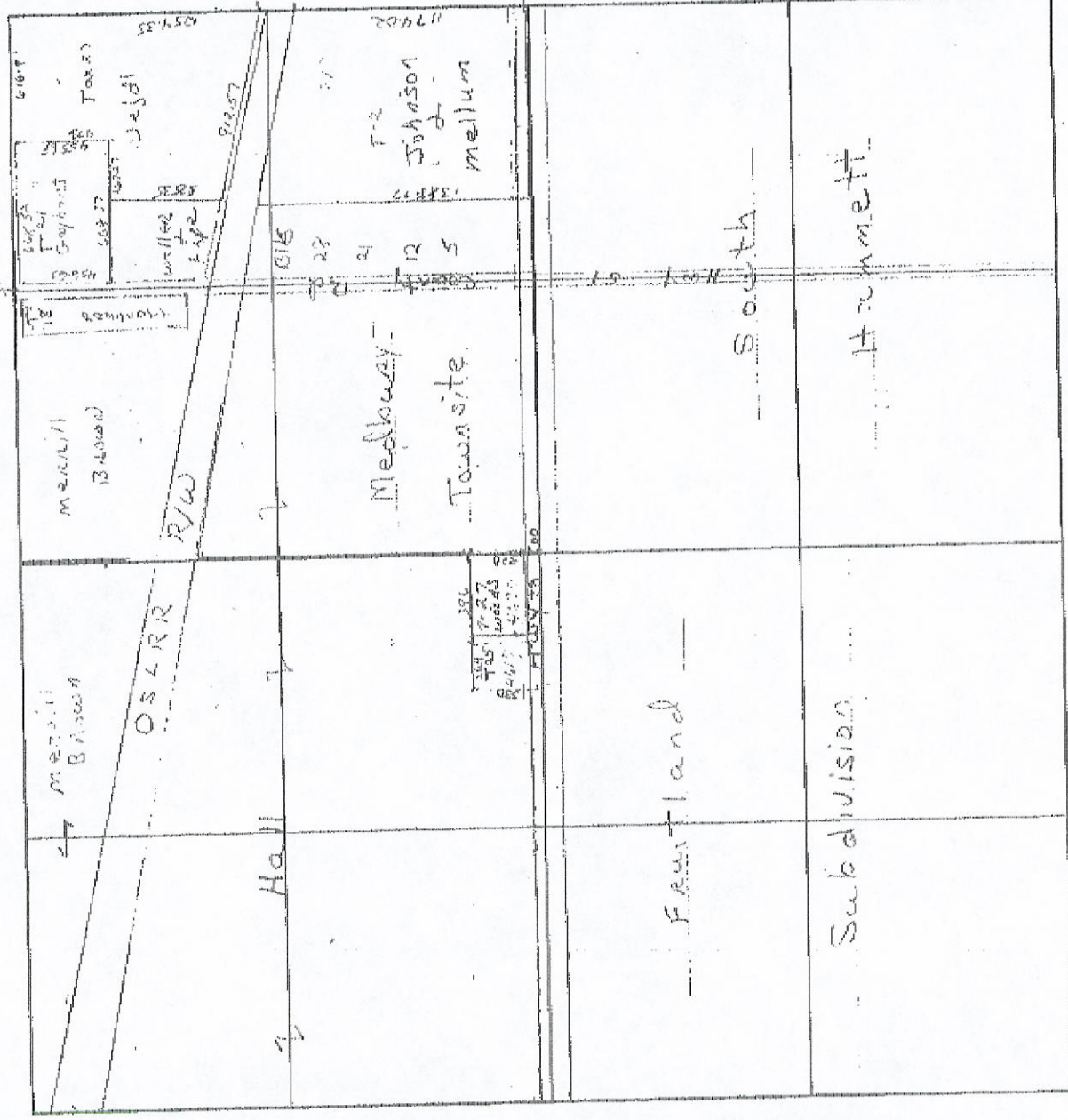
1987 NAPP Photo

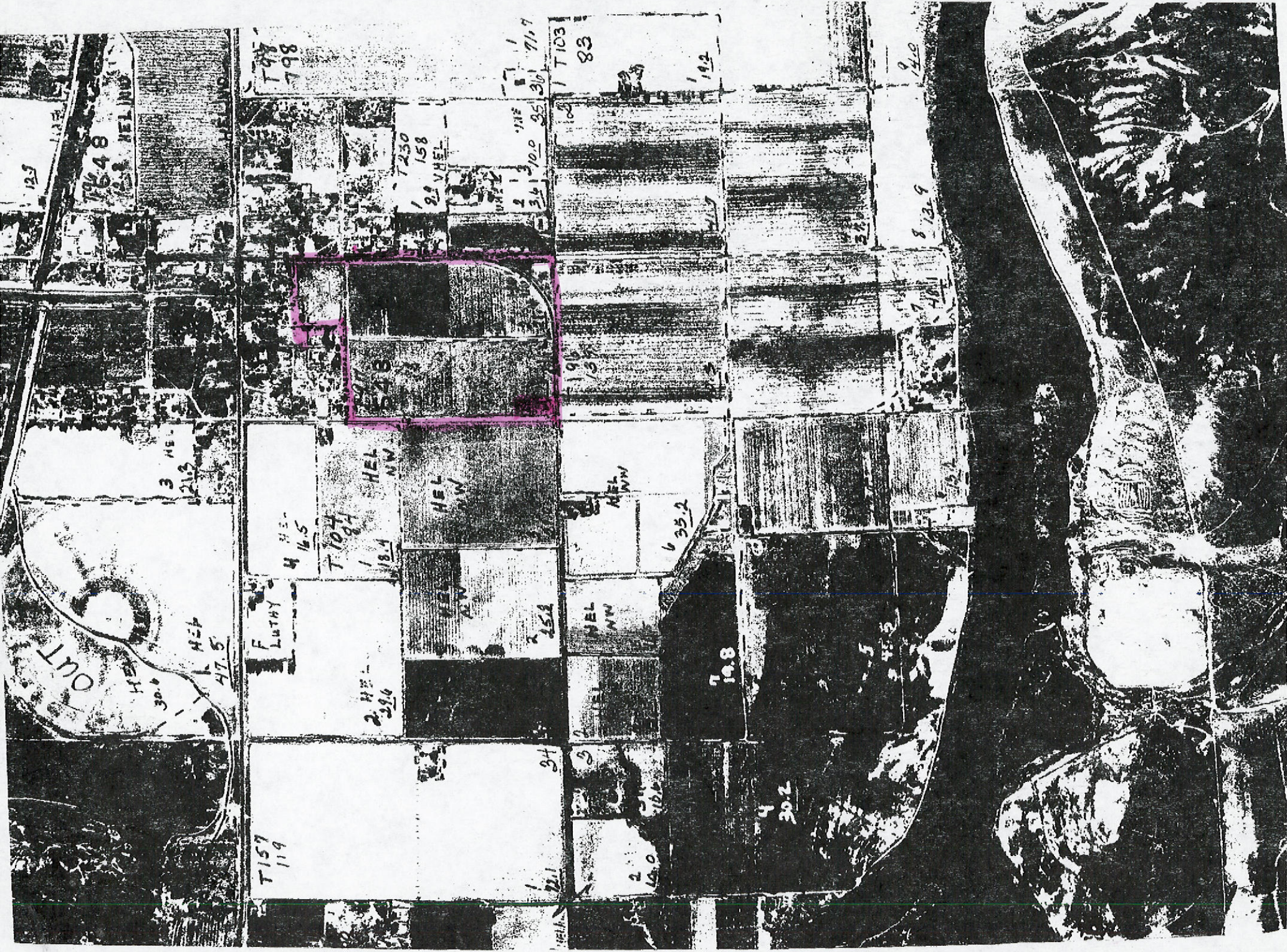


912083277866205718 P.01

ATTN: Shelley

Section 35 Township 52 Range 21 E





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2	175.28
3	175.36
4	175.48
5	175.52
6	175.72
7	175.81
8	175.82
9	175.92

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1	176.12
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3	176.31
4	176.40
5	176.50
6	176.60
7	176.70
8	176.80
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1	178.03
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7	178.59
8	178.78
9	178.97

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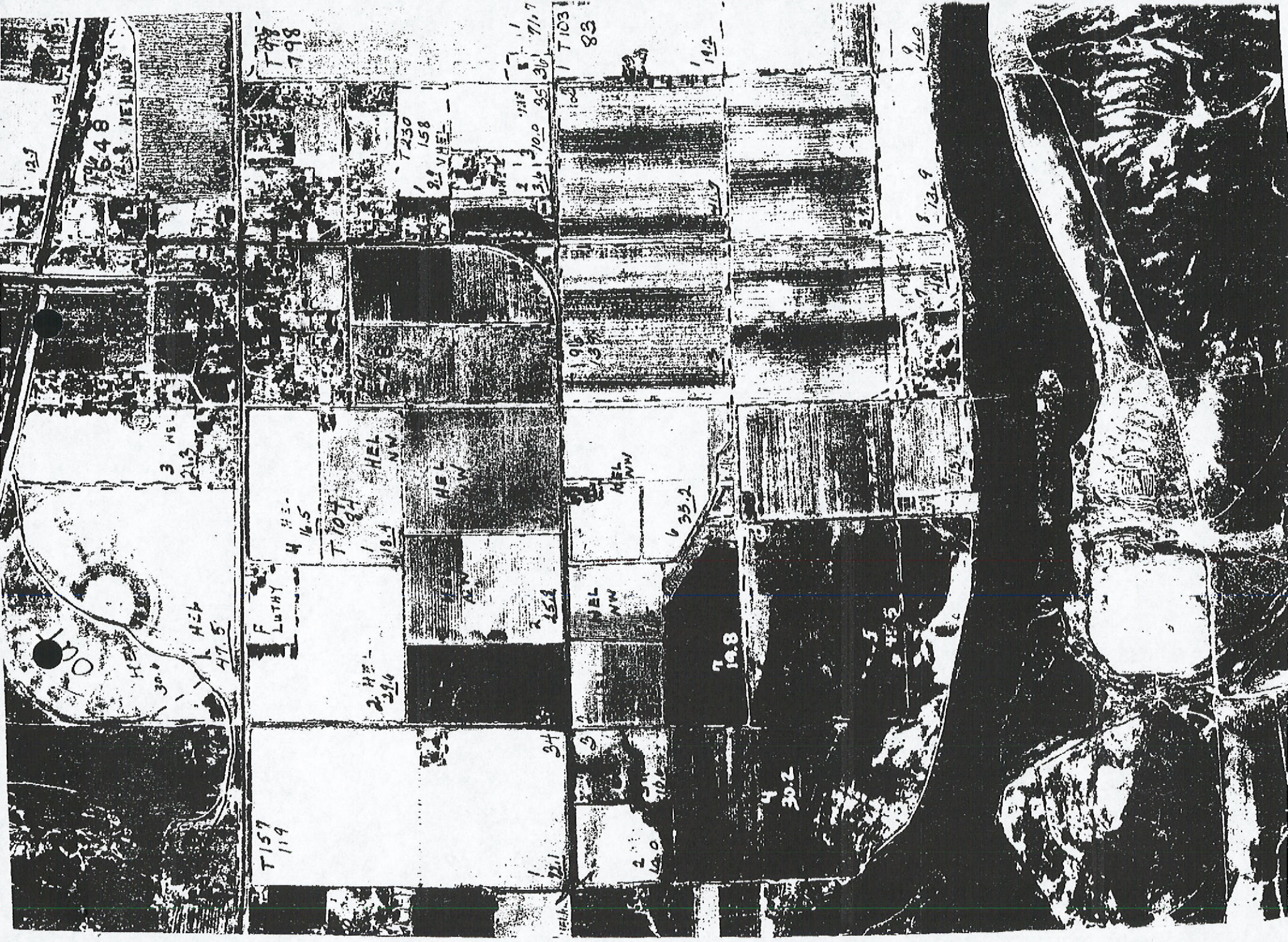
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1	179.09
2	179.19
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4	179.37
5	179.46
6	179.55
7	179.64
8	179.73
9	179.87

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A61-07098**
Date Received: 5/10/1989
Receipt No: C006709
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: MCG CO LLC 208-366-7373
Address: PO BOX 727
GLENN'S FERRY ID 83623

2. Date of Priority: OCT 14, 1971

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	08E	35		NW	SE		ELMORE

5. Description of diverting works:
WELL, APPROX. 70' DEEP, 40 HP PUMP, SPRINKLERS, SOME OPEN DISCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.500		350.00

7. Total Quantity Appropriated is:
1.500 C.F.S. (and/or) 350.00 A.F.A.

8. Total consumptive use is 175.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	08E	35	NE	SE		IRR	16.4
			NW	SE		IRR	33.6

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	50.0
					Total Acres	50.0

11. Place of use in counties: ELMORE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

RECEIVED

DEC 10 1998

WATER RESOURCES
WESTERN REGION

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by Billy G. Holland-Smith and Catherine A. Holland-Smith, as personal representatives of the estate of Bert A. Waller, deceased, Grantors, to McG Company, LLC, Grantee, whose current address is ~~XXXXXXX~~
~~143xxGarden ValleyxxIdahoxx83622~~ 113 Commerical Street N., Glenns Ferry,
ID 83623

WHEREAS, Grantors are the qualified personal representatives of said estate, filed as Case No. SP-FE-97-00001, in Elmore County, Idaho;

THEREFORE, for valuable consideration received, Grantors quitclaim, transfer, and convey to Grantee the following described real property in Elmore County, Idaho:

Vacated Block 19, plus vacated streets and alleys therein and adjacent thereto, in South Addition to Hammett, Elmore County, Idaho, as the same appears upon the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho.

Vacated Block 20, plus vacated streets and alleys therein and adjacent thereto, in South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho.

Vacated Block 29, plus vacated streets and alleys therein and adjacent thereto, in South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho.

Vacated Block 30, plus vacated streets and alleys therein and adjacent thereto, in South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho.

Vacated Block 31, plus vacated streets and alleys therein and adjacent thereto, in South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho.

Vacated Block 32, plus vacated street, therein and adjacent thereto, in South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho.

Lots 1 and 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23, inclusive, in vacated Block 35, plus the vacated streets and alleys therein and adjacent thereto, in South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho.

Vacated Block 36, plus vacated streets and alleys therein and adjacent thereto, in South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho.

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18, inclusive, of Block 2, of the South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho, TOGETHER with all vacated streets and alleys.

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23, inclusive, Block 3, South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho, TOGETHER with all vacated streets and alleys.

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20, inclusive and Lot 22, 23, 24, 25, 26, 27 and 28, Block 4, South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho. TOGETHER with all vacated streets and alleys.

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 and 28, inclusive of Vacated Block 13, South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho, TOGETHER with all vacated streets and alleys.

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23, inclusive, Block 14, South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho, TOGETHER with all vacated streets and alleys.

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18, inclusive, Block 15, South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho, TOGETHER with all vacated streets and alleys.

Lots 1, 2, 3, 4, 5, 6, 7, 8 and 9, inclusive, Block 16, South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho, TOGETHER with all vacated streets and alleys.

Lots 1, 2, 3, 4, 5, 6, 7, 8 and 9, inclusive, Block 17, South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho, TOGETHER with all

vacated streets and alleys.

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18, inclusive, of Vacated Block 18, South Addition of Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho, TOGETHER with all vacated streets and alleys.

TOGETHER with all portions of vacated street adjoining subject property, which upon vacation, attached to said land by operation of law, as disclosed in the Instruments recorded June 12, 1990, as Instrument No. 259297, and Instrument No. 146282, recorded July 26, 1971, records of Elmore County, Idaho. (Affects Blocks 2, 3, 4, 13, 14, 15, 16, 17, 18, 19, 20, 29, 30, 31, 32, 35, 36)

TOGETHER with all portions of vacated alleys, adjoining subject property, which upon vacation attached to said land by operation of law, as disclosed in the Instruments recorded June 12, 1990, as Instrument No. 259297, and Instrument No. 146282, recorded July 26, 1971, records of Elmore County, Idaho. (Affects Blocks 2, 3, 4, 13, 14, 15, 16, 17, 18, 19, 20, 29, 30, 31, 32, 35, 36)

SAVE AND EXCEPT all those portions used for Highway purposes, easements of record, visible easements and subdivision restrictions.

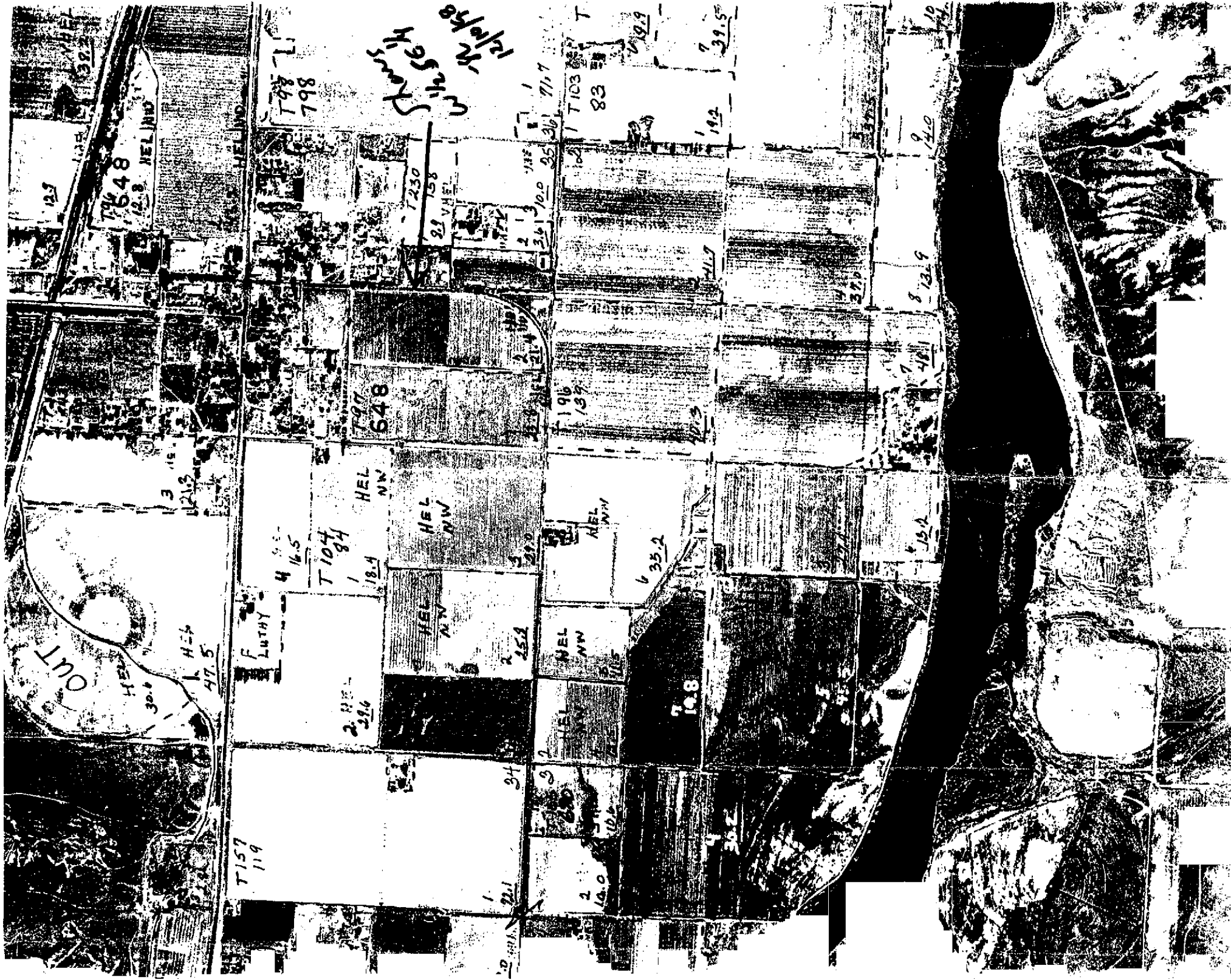
with all appurtenances.

EXECUTED this 2 day of July, 1997.


Billy G. Holland-Smith


Catherine A. Holland-Smith
Petitioners' address and phone number:

272 Squaw Creek
Mountain Home, Idaho 83647
208-796-2144



PLAN OF SOUTH ADDITION

TO THE TOWN OF HAWAII IDAHO

ELMORE COUNTY SCALE 1 INCH=30 FT.

11th Feb

Edgworth

Mercury Valley Investment Co.
22nd November 11

KNOW ALL MEN
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County, Idaho,
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ATTEST:

Edgworth

STATE OF IDAHO
COUNTY OF ADAM
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ATTEST:

STATE OF IDAHO
COUNTY OF ADAM
COUNTY OF ADAM

Only
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11th Nov 11

ATTEST:

STATE OF IDAHO
COUNTY OF ADAM
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COUNTY OF ADAM

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11th Nov 11

ATTEST:

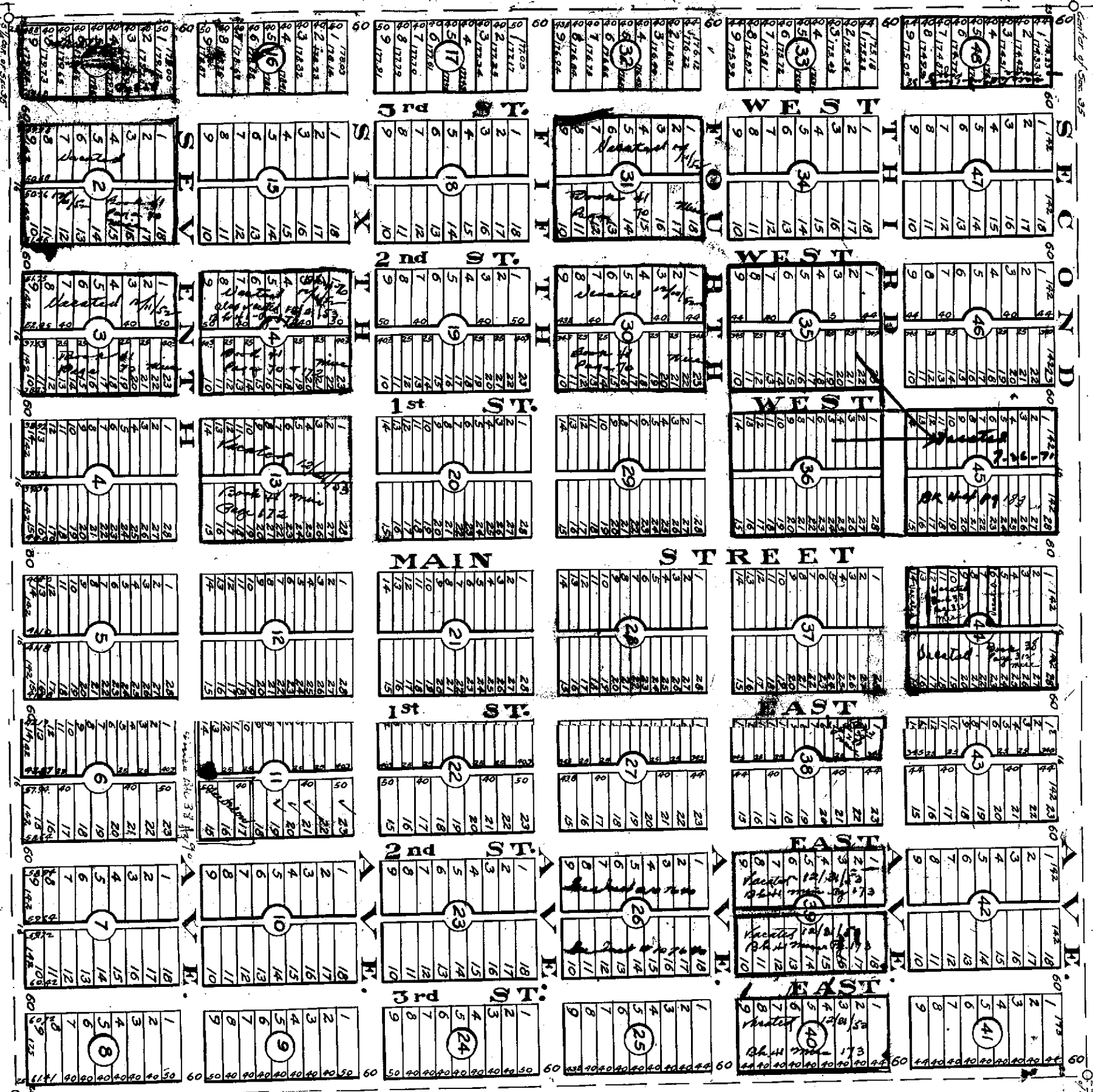
STATE OF IDAHO
COUNTY OF ADAM
COUNTY OF ADAM

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me, Edna I.
personally
be the seen
have given
Sawyer's quon
IN WITN
hand and of
11th Nov 11

ATTEST:

STATE OF IDAHO
COUNTY OF ADAM
COUNTY OF ADAM

Land w¹/₂ SE¹/₄ owned by M^cG CO.



D'Base stuns

L61-07018 pending license classification

to property describe pln in subser

W¹/₂ SE¹/₄, not N¹/₂ SE¹/₄ as

presently located.

-R 12/10/98

ELMORE COUNTY SCALE 1 INCH=30 FT.

F. C. Smith

KNOW ALL MEN BY THESE PRESENTS, that the Medbury Valley Investment Company, a corporation organized under the laws of the State of Idaho, with its principal place of business at Boise Ada County, Idaho is the legal owner of the East one-half of the Southeast quarter (E½ of the SE¼) and the equitable owner of the NW¼ and SE¼, of section 35 Township Five (5) South Range Eight (8) East, Elmore County, Idaho, and the said Medbury Valley Investment Company does hereby plat, lay out and subdivide the said land into lots, blocks, streets and alleys to be known as "South Addition to the Town of Hammett," all as shown by this plat, and the said Medbury Valley Investment Company does hereby grant and dedicate to the public the streets and alleys shown on the accompanying plat.

IN WITNESS WHEREOF, the said company has here-
unto caused its name to be subscribed and its corporate
Seal affixed this 15th day of January 1911.

ATTEST: MEDBURY VALLEY INVESTMENT COMPANY

L. G. Bradley BY Geo Thompson
Secretary President

STATE OF IDAHO, }
COUNTY OF ADA, } S.S.
On this 1st day of January in the year 1911, before me
Edna I. Hice, a Notary Public in and for said County per-
sonally appeared G. W. Thompson known to me to be
the President of the corporation that executed the foregoing
instrument and acknowledged to me that such corporation ex-
ecuted the same.

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

Edna D. Rice
Notary Public.

KNOW ALL MEN BY THESE PRESENTS, that the Boise Title and Trust Company, Limited, a corporation organized under the laws of the State of Idaho with its principal place of business at Boise, Idaho, as Trustee, is the owner of the following described land to-wit: The West one-half of the Southeast quarter (N. 1/2 of the S.E. 1/4) of Section Thirty-five (35), Township Five (5) South Range Eight (8) East, situated in Elmore County, Idaho, and the said Boise Title and Trust Company, Limited, as Trustee, does hereby plat, lay out and subdivide the said described land into lots, blocks, streets and alleys to be known as the "South Addition to the Town of Hammett," all as shown by this plat, and the said Boise Title and Trust Company, Limited, as Trustee, does hereby grant and dedicate to the public, the streets and alleys shown on the accompanying plat:

IN WITNESS WHEREOF the said Company has hereunto caused its name to be subscribed and its corporate seal affixed this 13th day of January 1911.

BOISE TITLE AND TRUST COMPANY, LIMITED
TRUSTEE

BY W. H. Hays President

ATTEST
N. J. Adair
Secretary

STATE OF IDAHO } ss.
COUNTY OF ADA }

On this 3rd day of January in the year 1911, before me, Edna L. Hice, a Notary Public in and for said County personally appeared Walter J. Hobbs known to me to be the secretary of the corporation that executed the foregoing instrument and acknowledged to me that said corporation executed the same.

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

Edna L. Rice
Notary Public.

I, WALTER R. HEYDE, do hereby certify, that the following is a correct description of the land included in the accompanying plat, and which has been platted and subdivided, as shown by this plat, to-wit: Southeast quarter (SE 1/4) Section Thirty-five (35) Township Five (5) South, Range Eight (8) East, of the Boise Meridian, situated in Elmore County, Idaho and that this plat has been prepared from actual survey made by me upon the ground, and that the same is true and correct.

Walker R. Hyde
Civil Engineer and Surveyor

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A61-07098
Date Received: 5/10/1989
Receipt No: C006709
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: ANDREW JOHNSON
Address: HC 63 BOX 50
HAMMETT ID

83627

AND

Name: GREG MELLUM
Address: HC 63 BOX 50
HAMMETT ID

83627

2. Date of Priority: OCT 14, 1971

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	08E	35		NW	SE		ELMORE

5. Description of diverting works:

WELL, APPROX. 70' DEEP, 40 HP PUMP, SPRINKLERS, SOME OPEN DISCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.500		350.00

7. Total Quantity Appropriated is:

1.500 C.F.S. (and/or) 350.00 A.F.A.

8. Total consumptive use is 175.0 Acre Feet Per Annum.

9. Non-irrigation uses:

NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	08E	35	NE	SE		IRR	16.4
			NW	SE		IRR	33.6
						Section Acres	50.0
						Total Acres	50.0

11. Place of use in counties: ELMORE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

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

RECEIVED

DEC 31 1997

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED

1. Water Right Number(s) _____
Adjudication Claim Number(s) A61-07098 _____
Department of Water Resources

JAN 22 1998

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

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

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

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

3. Name and Address of Former Owner/Claimant(s) BERT WALLER ESTATE

4. New Owner/Claimant(s) ANDREW JOHNSON AND GREG MELLUM

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

New Mailing Address HC 63 BOX 50

City, State and ZIP Code HAMMETT, ID 83627

New Telephone Number () -

5. Date you acquired the property 12-19-97

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

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

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) Andrew Johnson Date 12-19-97

Greg Mellen Date 12-19-97

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

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

DEVELOPER

794 1 2 131

INSTRUCTIONS

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

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

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

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

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

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

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

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

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

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

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by Billy G. Holland-Smith and Catherine A. Holland-Smith, as personal representatives of the estate of Bert A. Waller, deceased, Grantors, to Andrew Johnson, a married man, and Greg Mellum, a married man, each presumptively subject to the community interest of their spouse, Grantees, whose current address is HC 63, Hammett, Idaho 83627.

WHEREAS, Grantors are the qualified personal representatives of said estate, filed as Case No. SP-FE-97-00001, in Elmore County, Idaho;

THEREFORE, for valuable consideration received, Grantors quitclaim, transfer, and convey to Grantees the following described real property in Elmore County, Idaho:

Beginning at a point whence the northeast corner of Section 35, Township 5 South, Range 8 East, Boise Meridian, Elmore County, Idaho, bears
North 1,463.48 feet and running thence
South 1174.02 feet thence
West 920 feet, thence
North 1,388.77 feet, thence South Easterly to the POINT OF BEGINNING.

AND

The South half of the Northwest Quarter lying South of the Union Pacific Railroad right-of-way in Section 36, Township 5 South, Range 8 East, Boise Meridian, Elmore County, Idaho.

SAVE AND EXCEPT

Beginning at the Northwest corner of said Section 36, and running thence South 1520.6 feet, more or less, to the intersection with the South right-of-way boundary of the Oregon Short Line Railroad; thence
South 77°02' East along said South right-of-way boundary 1397.7 feet; thence South 0°25' West 210.4 feet to the REAL POINT OF BEGINNING; running thence South 77°02' East parallel to the South railroad right-of-way boundary 1316.6 feet, more or less, to the half section line; thence running
South along said half section line 305.1 feet, more or less, to a point of intersection with the North boundary of the State Highway U.S. No. 30 right-of-way; thence running West along said North Highway right-of-way boundary 1279.6 feet; thence running North 0°25' East 609.9 feet, more or less, to the point of beginning.

AND

SAVE AND EXCEPT

Part of the North 1/2 of Section 36, Township 5 South, Range 8 East of the Boise Meridian, Elmore County, Idaho

Beginning at the Northwest corner of Section 36, Township 5 South, Range 8 East, B.M., said corner marked by a 5/8" rebar; thence

South 0°18'42" East along section line for 1459.65 feet (1520.6 rec.) to the South right-of-way of the Union Pacific Railroad; thence

South 77°03'46" East (S 77°02' East rec.) along said railroad right-of-way for 1411.23 feet (1397.7 rec) to a 1/2" rebar which shall be the POINT OF BEGINNING. thence

South 77°03'46" East along said railroad right-of-way for 1622.77 feet to a 1/2" rebar; thence

South 0°04'20" East for 444.71 feet to a 1/2" rebar on the North right-of-way of State Highway 30; thence

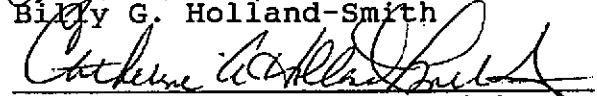
South 89°33'53" West along said highway right-of-way for 300.00 feet to a 1/2" rebar on the west line of the NE1/4 thence

North 0°04'20" West along the west line of the NE1/4 for 305.14 feet (305.1 rec.) to a 1/2" rebar; thence

North 77°03'46" West (North 77°02' West rec.) for 1316.60 feet to a 1/2" rebar; thence North 0°23'14" East (N 0°25' E rec.) for 210.40 feet to the POINT OF BEGINNING

with all appurtenances.

EXECUTED this 18 day of December 1997.


Billy G. Holland-Smith

Catherine A. Holland-Smith

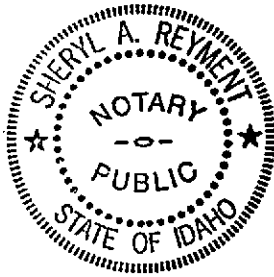
STATE OF IDAHO)

COUNTY OF Elmore)

: ss

On this 19th day of December, 1997, before me, the undersigned, a notary public in and for said state, personally appeared, Billy G. Holland-Smith and Catherine A. Holland-Smith, known or identified to me to be the persons whose names are subscribed to the within instrument, as Personal Representatives of the Estate of Bert A. Waller, deceased, and acknowledged to me that they executed the same as such Personal Representatives.

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



Sheryl A. Reymont
NOTARY PUBLIC
Residing at: mtu home
My Commission Expires: 12-27-99

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

RECEIVED

JUL 08 1997

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) AJ5809HP NO. A61-07098
Adjudication Claim Number(s) _____

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

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

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

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

3. Name and Address of Former Owner/Claimant(s) ESTATE OF BERT A. WALLER

*license be-
ing amended
9-24-97*

4. New Owner/Claimant(s) McG COMPANY LLC
Name connector (Check one): [] AND, [] OR, [] AND/OR

New Mailing Address P.O. BOX 727

City, State and ZIP Code GLENNS FERRY, IDAHO 83623

New Telephone Number (208) 366-7373

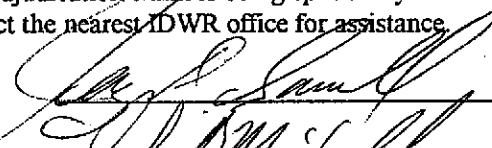
5. Date you acquired the property JULY 1, 1997

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

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

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s)  Date 7/2/97

Date 7/2/97

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

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

INSTRUCTIONS

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

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

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

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

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

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

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

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

RECEIVED

JUL 08 1997

WATER RESOURCES
WESTERN REGION

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by Billy G. Holland-Smith and Catherine A. Holland-Smith, as personal representatives of the estate of Bert A. Waller, deceased, Grantors, to McG Company, LLC

, Grantee, whose current address is ~~XXXXXXX~~
~~143xx Garden Valley, Idaho 83622~~ 113 Commerical Street N., Glenns Ferry,
ID 83623

WHEREAS, Grantors are the qualified personal representatives of said estate, filed as Case No. SP-FE-97-00001, in Elmore County, Idaho;

THEREFORE, for valuable consideration received, Grantors quitclaim, transfer, and convey to Grantee the following described real property in Elmore County, Idaho:

Vacated Block 19, plus vacated streets and alleys therein and adjacent thereto, in South Addition to Hammett, Elmore County, Idaho, as the same appears upon the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho.

Vacated Block 20, plus vacated streets and alleys therein and adjacent thereto, in South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho.

Vacated Block 29, plus vacated streets and alleys therein and adjacent thereto, in South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho.

Vacated Block 30, plus vacated streets and alleys therein and adjacent thereto, in South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho.

Vacated Block 31, plus vacated streets and alleys therein and adjacent thereto, in South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho.

Vacated Block 32, plus vacated street, therein and adjacent thereto, in South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho.

Lots 1 and 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23, inclusive, in vacated Block 35, plus the vacated streets and alleys therein and adjacent thereto, in South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho.

Vacated Block 36, plus vacated streets and alleys therein and adjacent thereto, in South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho.

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18, inclusive, of Block 2, of the South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho, TOGETHER with all vacated streets and alleys.

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23, inclusive, Block 3, South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho, TOGETHER with all vacated streets and alleys.

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20, inclusive and Lot 22, 23, 24, 25, 26, 27 and 28, Block 4, South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho. TOGETHER with all vacated streets and alleys.

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 and 28, inclusive of Vacated Block 13, South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho, TOGETHER with all vacated streets and alleys.

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23, inclusive, Block 14, South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho, TOGETHER with all vacated streets and alleys.

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18, inclusive, Block 15, South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho, TOGETHER with all vacated streets and alleys.

Lots 1, 2, 3, 4, 5, 6, 7, 8 and 9, inclusive, Block 16, South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho, TOGETHER with all vacated streets and alleys.

Lots 1, 2, 3, 4, 5, 6, 7, 8 and 9, inclusive, Block 17, South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho, TOGETHER with all

vacated streets and alleys.

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18, inclusive, of Vacated Block 18, South Addition of Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho, TOGETHER with all vacated streets and alleys.

TOGETHER with all portions of vacated street adjoining subject property, which upon vacation, attached to said land by operation of law, as disclosed in the Instruments recorded June 12, 1990, as Instrument No. 259297, and Instrument No. 146282, recorded July 26, 1971, records of Elmore County, Idaho. (Affects Blocks 2, 3, 4, 13, 14, 15, 16, 17, 18, 19, 20, 29, 30, 31, 32, 35, 36)

TOGETHER with all portions of vacated alleys, adjoining subject property, which upon vacation attached to said land by operation of law, as disclosed in the Instruments recorded June 12, 1990, as Instrument No. 259297, and Instrument No. 146282, recorded July 26, 1971, records of Elmore County, Idaho, (Affects Blocks 2, 3, 4, 13, 14, 15, 16, 17, 18, 19, 20, 29, 30, 31, 32, 35, 36)

SAVE AND EXCEPT all those portions used for Highway purposes, easements of record, visible easements and subdivision restrictions.

with all appurtenances.

EXECUTED this 2 day of July, 1997.


Billy G. Holland-Smith

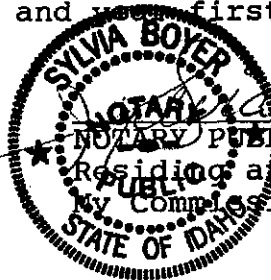

Catherine A. Holland-Smith
Petitioners' address and phone number:

272 Squaw Creek
Mountain Home, Idaho 83647
208-796-2144

STATE OF IDAHO)
)
COUNTY OF Elmore) ss

On this 2nd day of July, 1997, before me, the undersigned, a notary public in and for said state, personally appeared, Billy G. Holland-Smith and Catherine A. Holland-Smith, known or identified to me to be the persons whose names are subscribed to the within instrument, as Personal Representatives of the Estate of Bert A. Waller, deceased, and acknowledged to me that they executed the same as such Personal Representatives.

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



Residing at: Mountain Home
My Commission Expires: 08/24/2002

301510

ELMORE COUNTY, IDAHO ss
Request of
GUARANTY TITLE, INC.

Time 11:50 A M
Date July 3, 1997
Book Page
DOLORES ROBISON
Recorder
By [Signature]
Deputy
Fee 12.00

RECEIVED

JUL 08 1997

WATER RESOURCES
WESTERN REGION

J

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A61-07098
Date Received: 5/10/1989
Receipt No: C006709
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BERT A. WALLER 208-366-2062
Address: BOX 65
HAMMETT, ID 83627
2. Date of Priority: OCT 14, 1971
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 05S | 08E | 35 | NW | SE | | | ELMORE |
5. Description of diverting works:
WELL, APPROX. 70' DEEP, 40 HP PUMP, SPRINKLERS, SOME OPEN DISCH.
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 1.500 | | 350.00 |
7. Total Quantity Appropriated is:
1.500 C.F.S. (and/or) 350.00 A.F.A.
8. Total consumptive use is 175.0 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE
10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05S	08E	35	NE	SE		IRR	16.4
			NW	SE		IRR	33.6
Section Acres							50.0

A61-07098

Page 1

Date: 05/10/89

MICROFILMED

AUG 11 1992

10. Place of Use: Continued

Total Acres 50.0

11. Place of use in counties: ELMORE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number

A61-07098

Date Received

5/10/89

Receipt Number

C00670998

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) BERT A. WALLER Phone (208) 366-2062Mailing Address Box 65, HAMMETT, ID Zip 836272. Date of Priority (Only one (1) per claim) OCT. 14, 19713. Source of water supply (a) GROUNDWATER
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 5S Range 8E Section 35,
_____ 1/4 of NW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of ELMORE

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.WELL - APPROX 70'PUMP - 40 HPSPRINKLERSSOME OPEN DISCH.

MICROFILMED

AUG 11 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4/1 to 11/1 amount 1.50 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.50 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 175 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) NONE

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
SS	8E	35													16.4	33.6			50

Total number of acres irrigated 50

11. In which county (ies) are lands listed above as place of use located? ELMORE

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

or None (☒)

14. Remarks:

MICROFILMED

AUG 11 1992

Last Name WALLER Ident No. A61-07098

Copies: White -State, Yellow-Claimant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Frank D. Waller Date 5-10-89

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____ Title _____, that I have signed the foregoing

document in the space below as _____ of _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 10TH day of MAY 19 89

SEAL

Notary Public Jeff Peppersch

Residing at BOISE, ID

My Commission Expires 11/8/1994

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

MICROFILMED

AUG 11 1992

Last Name WALLER Ident. Number A61-07098

Copies White-State, Yellow-Claimant

WESTERN REGION

CLAIM NUMBERS 61-02098

AGENT SB DATE 11/13/98

TOTAL ACRES FROM RECOMMENDATION _____

GEOGRAPHIC INFO SYSTEM ACRES _____

READY FOR DECREE ____ (YES) SENT FOR DECREE ____ (YES)

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM																			
GIS																			
RECOM																			
GIS																			

POLYGON CREATED ON 80 _____

POLYGON # () () () () _____ UPDATED BY

ATTRIBUTES OF B51-POU.SHP (205) (206) () () ()

ATTRIBUTES OF B51-POD.SHP (206) () () () ()

B51-DBPOU.DBF SB UPDATED BY

B51-DBPOD.DBF SB UPDATED BY

Added to B601

RDH GPSTABLE

AJ0749NP
No. R61-07098

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 02/05/99
PAGE: 1

=====

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MCG CO LLC PO BOX 727 GLENN'S FERRY ID 83623 (208) 366-7373	10/14/1971	IRRIGATION	04-01 11-01	1.50 CFS	350.00 AFA
TOTAL DIVERSION:					1.50 CFS	350.00 AFA

Water Source: GROUNDWATER Tributary to: Stage: LICENSE
Point(s) of Diversion: T05S R08E S35 NWSE ELMORE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
05S	08E	35	:															15	35	:	50.0
TOTAL ACRES																			:	50.0	

POU County: ELMORE

Conditions of Approval:

- W03 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- KING HILL IRRIGATION DISTRICT.
- C15 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN BASIN 61:
 - WATER RIGHT NO. SOURCE
 - NONE NONE
- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN THE SNAKE RIVER BASIN:
 - WATER RIGHT NO. SOURCE
 - NONE NONE
- ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES
- OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
- CONJUNCTIVELY.
- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.

Remarks: USE THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED
EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE
DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

AJ0749NP
No. R61-07098

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 02/05/99
PAGE: 2

=====

Dates: Exam Made Date: 10/25/1977 Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag: C

Comments: Date: 11/13/1998 User-ID: SBOCK Subject: POU
THE ORIGINAL FIELD EXAM FOUND LANDS LOCATED IN THE NWSE AND
SWSE OF SEC 35. WHEN THE RIGHT WAS LICENSED, IT WAS LICENSED IN
THE NESE AND NWSE, THUS CLAIMANT FILED ON IT THAT WAY. THE ERROR
WAS NOTED AND A AMENDED LICENSE IS BEING ISSUED.

Date: 11/21/1998 User-ID: AJU10-JS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C15 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Date: 02/05/1999 User-ID: SBOCK Subject: POU
THE POU HAD A FIELD EXAM WHICH SHOWED THE CORRECT POU. WHEN IT
WAS LICENSED, IT WAS ENTERED INCORRECT. AN ACCOMPLISHED CHANGE
IN POU OCCURED BEFORE 1987.

Audit: 02/05/99 SBOCK

Bock, Susan

From: Keen, Shelley
Sent: Thursday, February 04, 1999 9:40 AM
To: Bock, Susan
Subject: Request to amend license 61-07098

Sue,

I took some time this morning to review my notes on 61-07098, the license you have been hoping would be amended to change the POU from the N1/2 SE1/4 of Sec. 35 to the W1/2 SE 1/4 Sec. 35. When we approached him with the issue last fall, Norm Young was concerned that amending the license could inadvertently deprive property owners in the NESE of a water right they've been depending on. Somehow we need to provide notice to those property owners to ensure they have an opportunity to contest the change. It is likely that no one will respond, but due process considerations require us to provide the opportunity.

This morning Kari Lynn asked someone in the Elmore County assessor's office to provide me a list of property owners in the NESE. Once we have that list, I will discuss with Norm again the prospect of amending the license. As another alternative, we could require a transfer application. No matter what course we take, our action will be issued as an order of the department, which takes time to become final. Therefore, I cannot foresee your issue being resolved by Monday as you requested.

Please let me know if you have any questions.

Shelley Keen

CONVERSATION MEMORANDUM

DATE 12/10/98FILE A61-07098

NAME OF PARTY

JERRY GORRELL 366-7373

EMPLOYEE

82RE: Change in Ownership for Bs. 61 Director's ReportOffice visit -Delivered ownership info e W^{1/2} SE^{1/4} (see
attachal).Appears S.O. is ready to issue amended license
to correct error: pln = W^{1/2} (not N^{1/2}) of SE^{1/4}.Once license corrected:1) complete change in own. info (maybe license
already takes care of see L61-07098,
attachal)2) ~~amended~~ ~~amended~~ A61-07098 to match revised
license via notice of error process.Thus:WR will equal AJ will equal beneficial use.He may submit letter request to Town seeking
clarification e use of well for fire protection re
local ordinance requirement.cc: S.O. file
61-07098

WR5809NP
No. L61-07098

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/10/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MCG CO LLC PO BOX 727 GLENN'S FERRY ID 83623	10/14/1971	IRRIGATION	04/01 10/31	1.500 CFS	350.00 AFA
TOTAL DIVERSION:					1.500 CFS	350.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 1.740 CFS

Point(s) of Diversion: T05S R08E S35

NWSE

ELMORE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE																				
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
05S	08E	35	:		:		:		:		:		:		:		:		:		:		:		:		:		:			
																										16	34	:	50.0			
																										TOTAL ACRES		:	50.0			

Pou County: ELMORE

Remarks: GEN AC. IRR.=50.

Dates: App. Received: 10/14/1971 Priority Date: 10/14/1971
Proof Due Date: 01/01/1977 Proof Made Date: 11/16/1976
Exam Made Date: 10/25/1977 Exam Sent to S.O.: 11/09/1977
Licensed Date: 12/03/1979

Misc: Water District Number: Field Exam Fee:

Audit: 09/16/97 SCURTIS 09/17/97 SCURTIS

Corrects p1
to w/2 SE 1/4

PENDING S.O. for signature per
d'base check today

-FL

SD-0601-2

Water Right Number: 61-07098

END OF DATA				FIRST	PAGE
Office	Reg	Location	Type Description	Date	User-ID
KEEN	C	DRAWER3	Desk Top Review	12/01/98	SKEEN
KEEN	C	BASKET	License in for Signature	11/10/98	SCURTIS
SHARLA	C	DRAWER1	License in for Signature	07/27/98	CBIRD
SHARLA	C	DRAWER1	License in for Signature	07/01/98	CBIRD
SHARLA	C	DRAWER2	License in for Signature	12/30/97	CBIRD
KEEN	C	BASKET	License in for Signature	11/14/97	SCURTIS
SHARLA	C	DESK	License in for Signature	10/04/97	CBIRD
NORM	C	BASKET	License in for Signature	09/24/97	VAULT
JIM	C	DESK	License Review	09/23/97	SKEEN
KEEN	C	BASKET	License Review	09/17/97	SCURTIS
VAULT	C	SHELVES	Review Complete	04/14/94	VAULT

(Enter=Cont) (GOLD4=Prev Scr) (GOLD5=Next Scr) (GOLD6=End of Data) (GOLD8=Exit)

= L61-07098

12/10/98

AJ0749NP
No. R61-07098

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 12/16/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MCG CO LLC PO BOX 727 GLENN'S FERRY ID 83623 (208) 366-7373	10/14/1971	IRRIGATION	04-01 11-01	1.50 CFS	350.00 AFA
TOTAL DIVERSION:					1.50 CFS	350.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T05S R08E S35

NWSE

ELMORE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
05S	08E	35	:															15	35	:	50.0
TOTAL ACRES																			:	50.0	

POU County: ELMORE

Conditions of Approval:

- W03 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
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 - OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
 - CONJUNCTIVELY.

Remarks: USE THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
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PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED
EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE
DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Dates: Exam Made Date: 10/25/1977

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag: C

AJ0749NP
No. R61-07098

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 12/16/98
PAGE: 2

=====

Comments: Date: 11/13/1998 User-ID: SBOCK Subject: POU
THE ORIGINAL FIELD EXAM FOUND LANDS LOCATED IN THE NWSE AND
SWSE OF SEC 35. WHEN THE RIGHT WAS LICENSED, IT WAS LICENSED IN
THE NESE AND NWSE, THUS CLAIMANT FILED ON IT THAT WAY. THE ERROR
WAS NOTED AND A AMENDED LICENSE IS BEING ISSUED.

Date: 11/21/1998 User-ID: AJU10-JS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C15 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Audit: 12/16/98 SBOCK

AJ0749NP
No. R61-07098

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 11/20/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ANDREW JOHNSON	10/14/1971	IRRIGATION	04-01 11-01	1.50 CFS	350.00 AFA
C	GREG MELLUM					
	HC 63 BOX 50					
	HAMMETT ID 83627			TOTAL DIVERSION:	1.50 CFS	350.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T05S R08E S35

NWSE

ELMORE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
05S	08E	35	:															15	35	:	50.0	
																			TOTAL ACRES		50.0	

POU County: ELMORE

Conditions of Approval:

- W03 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- KING HILL IRRIGATION DISTRICT.

Remarks: USE THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED
EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE
DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Dates: Exam Made Date: 10/25/1977 Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag: C

Comments: Date: 11/13/1998 User-ID: SBOCK Subject: POU
THE ORIGINAL FIELD EXAM FOUND LANDS LOCATED IN THE NWSE AND
SWSE OF SEC 35. WHEN THE RIGHT WAS LICENSED, IT WAS LICENSED IN
THE NESE AND NWSE, THUS CLAIMANT FILED ON IT THAT WAY. THE ERROR

AJ0749NP
No. R61-07098

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 11/20/98
PAGE: 2

=====

Comments: Date: 11/13/1998 User-ID: SBOCK Subject: POJ
WAS NOTED AND A AMENDED LICENSE IS BEING ISSUED.

Audit: 11/20/98 LHARRIS

AJ0749NP
No. R61-07098

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 11/13/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ANDREW JOHNSON	10/14/1971	IRRIGATION	04-01 11-01	1.50 CFS	350.00 AFA
C	GREG MELLUM					
	HC 63 BOX 50					
	HAMMETT ID 83627					
				TOTAL DIVERSION:	1.50 CFS	350.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T05S R08E S35

NWSE

ELMORE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:	---
05S	08E	35	:															15	35	:	50.0
																			TOTAL ACRES		50.0

POU County: ELMORE

Conditions of Approval:

W03 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- KING HILL IRRIGATION DISTRICT.

Dates: Exam Made Date: 10/25/1977

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag: C

Comments: Date: 11/13/1998 User-ID: SBOCK Subject: POU
THE ORIGINAL FIELD EXAM FOUND LANDS LOCATED IN THE NWSE AND
SWSE OF SEC 35. WHEN THE RIGHT WAS LICENSED, IT WAS LICENSED IN
THE NESE AND NWSE, THUS CLAIMANT FILED ON IT THAT WAY. THE ERROR
WAS NOTED AND A AMENDED LICENSE IS BEING ISSUED.

Audit: 11/13/98 SBOCK

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

08:00:41
04/04/94
13

PAGE: 13
PROFILE REPORT

CLAIM NUMBER: A61-07098

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BERT A. WALLER BOX 65 HAMMETT ID 83627 (208) 366-2062	10/14/1971	IRRIGATION	04-01 11-01	1.50 CFS	350.00 AFA
					TOTAL DIVERSION:	1.50 CFS 350.00 AFA
					CONSUMPTIVE USE:	~~175.00 AFA~~

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T05S R08E S35

NWSE

ELMORE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE							
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
05S	08E	35	:																			:	50.0
																						TOTAL ACRES	50.0

POU County: ELMORE

Non-Irrigation Uses: NONE

Other Rights: NONE

Dates: Exam Made Date:

Verified Date: 03/12/1985

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Wφ3

07:59:45
04/04/94

1
CLAIM NUMBER: A61-07098

FIRST: BERT A.

STATE: ID ZIP: 83627

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
 N

FIELD
EXAMINER

NO REMARKS IN CLAIM

FIELD EXAMINATION INFORMATION

PHONE NUMBER: () -

APPOINTMENT MADE: Y() N()

TIME: : A() P()

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

completed field report dated 10.31.77

A. AJ CLAIM: # A61-07098 PRIORITY DATE: 10-14-1971 STAGE: L
B. WR RECORD: # 61-07098 PRIORITY DATE: 10-14-1971 STAGE: L

C. FIELD EXAM REQUIRED?
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE N FIELD EXAMINER N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(X)
IF YES EXPLAIN.

NOTES: priority date claimed as licensed

=====

RECOMMENDED PRIORITY DATE:
10-14-1971

REVIEWED BY RF DATE 04-07-94

=====

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A61-07098	05S	08E	35		NW	SE		ELMORE
OTHER AJ CLAIMS WITH SAME AJ POD				WR RECORDS IN SAME 40 ACRE TRACT				
A PREFIX				R PREFIX				
NONE				NONE				

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
61-07098	05S	08E	35		NW	SE		ELMORE
OTHER WR RECORDS WITH SAME WR POD				AJ CLAIMS IN SAME 40 ACRE TRACT				
				A PREFIX R PREFIX				
NONE				A61-10645 NONE				

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO POD DISCREPANCY? (Y/N)	Y	<u>N</u>
DUE TO SOURCE DISCREPANCY? (Y/N)	N	<u>N</u>

NOTES:

Pod claimed as licensed

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
<u>52</u>	<u>86</u>	<u>35</u>	—	<u>NW</u>	<u>SE</u>	—	<u>Elmore</u>	—
—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: RF

DATE: 04-11-94

SYSTEM DESCRIPTION:

A. ROOT WATER RIGHT NUMBERS: A61-07098

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
05S	08E	35	NE	SE		WALLER, BERT A.	A61-07098 /16.4	61-07098 /16.0	37.0		0
			NE	SE		HUMPHERY, ELLA	A61-10416 /	- /			
			NE	SE		HUMPHERY, RICHARD	A61-10414 /	- /			
			NE	SE		KOCH, KARL E.	A61-10520 /	- /			
			NE	SE		GARCIA, ANNA R	A61-10700 /	- /			
			NE	SE		HAMMETT COMMUNITY CHURCH	A61-10639 /	- /			
			NE	SE		KING HILL IRRIGATION DISTRICT	A37-04112 /18.7	- /			
			NE	SE		HAMMETT COMMUNITY CHURCH	R61-10639 /	- /			
			NE	SE		ALLISON, VIOLA A	A61-04081 / 1.0	61-04081 / 1.0			
			NE	SE		BROWNLEE, W. P.	A61-07221 /	61-07221 / 1.0			
			NE	SE		BROWNLEE, W P	R61-07221 /	- /			
			NE	SE		KOCH, KARL E	R61-10520 /	- /			
			NE	SE		HUMPHERY, RICHARD	R61-10414 /	- /			
			NE	SE		HUMPHERY, ELLA	R61-10416 /	- /			
			NE	SE		BOONE, CLARENCE E "BUD"	A61-11754 /	- /			
			NE	SE		HILL, POLLY M.		61-04007 /			
			NE	SE		SCHROCK, FAN		61-04009 /			
			NE	SE		KING HILL IRRIGATION DISTRICT		A02-00214 /			
			NE	SE		KING HILL IRRIGATION DISTRICT		A02-00215 /			
			NE	SE		KING HILL IRRIGATION DISTRICT		A02-00216 /			
			NE	SE		KING HILL IRRIGATION DISTRICT		A02-00217 /			
05S	08E	35	NW	SE		WALLER, BERT A.	A61-07098 /33.6	61-07098 /34.0	39.0		15
			NW	SE		KING HILL IRRIGATION DISTRICT	A37-04112 /25.1	- /			
			NW	SE		HICKENLOOPER, GARY	R61-10645 /	- /			
			NW	SE		HICKENLOOPER, GARY	A61-10645 /	- /			
			NW	SE		HICKENLOOPER, RUTH E	R51-10354 /	- /			
			NW	SE		KING HILL IRRIGATION DISTRICT		A02-00214 /			
			NW	SE		KING HILL IRRIGATION DISTRICT		A02-00215 /			
			NW	SE		KING HILL IRRIGATION DISTRICT		A02-00216 /			
			NW	SE		KING HILL IRRIGATION DISTRICT		A02-00217 /			
TOTAL ACRES						A61-07098	50.00	50.00	76.00		

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y(X) N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
Y

POU COUNTY: ELMORE

SWSE

35
50
=

PRESUMPTION FLAG:

NOTES:

actual Pou is in NWSE + SWSE of SS 08E 35
Pou confirmed by NAPP AA-15, OQ AA-15, and ASCS photo
New amended license should be issued soon. Spohrer/
Shanks + Shanks is working on it now.

RECOMMENDATIONS:

TOTAL ACRES: 50.0

REVIEWED BY: SB

DATE: 11/13/98

12/7/98 Received a call from Greg Mellum,
he & Mr. Johnson do not own this property.
Talled to Adressis, area had been
divided into subdivisions - had not idea
of owner. S.B.

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY	
A61-07098 IRRIGATION	FROM 04-01 TO 11-01	1.500 CFS	350.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.500 CFS	350.00 AF/A

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY	
61-07098 IRRIGATION	FROM 04-01 TO 11-01	1.500 CFS	350.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.500 CFS	350.00 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	_____
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	N	_____
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	N	_____

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(☒) N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N() Explain in notes, below.

NOTES:

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 1.500 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.500 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in notes. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) N

B.

FLOW MEASUREMENT

MEASUREMENT METHOD See Exam, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(☒) N(☐) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A61-07098	GROUNDWATER	WALLER, BERT A.	1.500	0.030	350.00	7.00
A37-04112	MALAD RIVER	KING HILL IRRIGATION DISTRICT	370.000	0.032		
A61-04081	GROUNDWATER	ALLISON, VIOLA A	0.180	0.180		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A61-10416	DOMESTIC	HUMPHERY, ELLA	FROM 01-01 TO 12-31	.040 CFS	
A61-10414	DOMESTIC	HUMPHERY, RICHARD	FROM 01-01 TO 12-31	.040 CFS	
A61-10520	DOMESTIC	KOCH, KARL E.	FROM 01-01 TO 12-31	.040 CFS	
A61-10520	STOCKWATER	KOCH, KARL E.	FROM 01-01 TO 12-31	.020 CFS	
A61-10700	DOMESTIC	GARCIA, ANNA R	FROM 01-01 TO 12-31	.040 CFS	
A61-10639	DOMESTIC	HAMMETT COMMUNITY CHURCH	FROM 01-01 TO 12-31	.040 CFS	
R61-10639	DOMESTIC	HAMMETT COMMUNITY CHURCH	FROM 01-01 TO 12-31	.040 CFS	
A61-07221	DOMESTIC	BROWNLEE, W. P.	FROM 01-01 TO 12-31	.060 CFS	1.20 AF/A
R61-07221	DOMESTIC	BROWNLEE, W P	FROM 01-01 TO 12-31	.060 CFS	1.20 AF/A
R61-10520	DOMESTIC	KOCH, KARL E	FROM 01-01 TO 12-31	.040 CFS	

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
R61-10520	STOCKWATER	KOCH, KARL E	FROM 01-01 TO 12-31	.020 CFS	
R61-10414	DOMESTIC	HUMPHERYS, RICHARD	FROM 01-01 TO 12-31	.040 CFS	
R61-10416	DOMESTIC	HUMPHERYS, ELLA	FROM 01-01 TO 12-31	.040 CFS	
A61-11754	DOMESTIC	BOONE, CLARENCE E "BUD"	FROM 01-01 TO 12-31	.040 CFS	
R61-10645	DOMESTIC	HICKENLOOPER, GARY	FROM 01-01 TO 12-31	.050 CFS	
A61-10645	DOMESTIC	HICKENLOOPER, GARY	FROM 01-01 TO 12-31	.050 CFS	
R51-10354	DOMESTIC	HICKENLOOPER, RUTH E	FROM 01-01 TO 12-31	.040 CFS	
R51-10354	STOCKWATER	HICKENLOOPER, RUTH E	FROM 01-01 TO 12-31	.020 CFS	

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 50 x 0.02 CFS/ACRE = 1.0 CFS
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y(☒) N(☐)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y(☐) N(☐) ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 175.0 AF/A
ACRES 50 x CONSUMPTIVE VOL. AF/A FOR AREA 4.5 =
TOTAL CONSUMPTIVE USE 225 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 350.00 AF/A
ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =
TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y(☐) N(☐)

1b. CALCULATIONS

*Evidence submitted
for excessive water
See microfilm
Letter from ASCS
+ Claimant*

AC. IRR.=50.

NOTES: (Include limitations on CONSUMPTIVE USE for combined rights.)

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
		DATABASE EXAMINER	DATABASE EXAMINER	DATABASE EXAMINER
IRRIGATION	04-01 11-01	1.500	350.00	175.0
TOTAL FOR THIS RIGHT		1.500	350.00	175.0

REVIEWED BY:



DATE:

11/13/88

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

NIA

ROOT WATER RIGHT NUMBER: 61-07098

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 1.500	EXAMINER _____	CFS
-----------------------------------	-------------------	-------------------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A61-07098	1.500	-		61-07098	1.500
TOTAL CFS		1.500				1.500

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
Y

FIELD
EXAMINER

NOTES:

AUTHENTICATION:

SIGNATURE: _____

DATE: _____

NAME OF FIELD EXAMINER: _____

TITLE: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

07:59:45
04/04/94

PAGE: 12
QUICKLOOK INFORMATION

12
CLAIM NUMBER: A61-07098

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE						5/11/98		
POINT OF DIV	Y			2	6			
SOURCE				2	6			
PLACE OF USE	Y			2	6			
DIV. AMOUNT CFS/VOLUME				2	6			
CONSUMPTIVE USE	-			2	6			
PURPOSES				2	1			
PERIOD OF USE				2	6			
BASIS OF CLAIM				2	6			
REMARKS				2	1			

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

WATER RESOURCES

T05S, R08E, S35

Claimant(s): Johnson & Mellum

Claim No(s): 61-07098

Prepared by: Sue Bock

Date: 11/13/1998



Place of Use



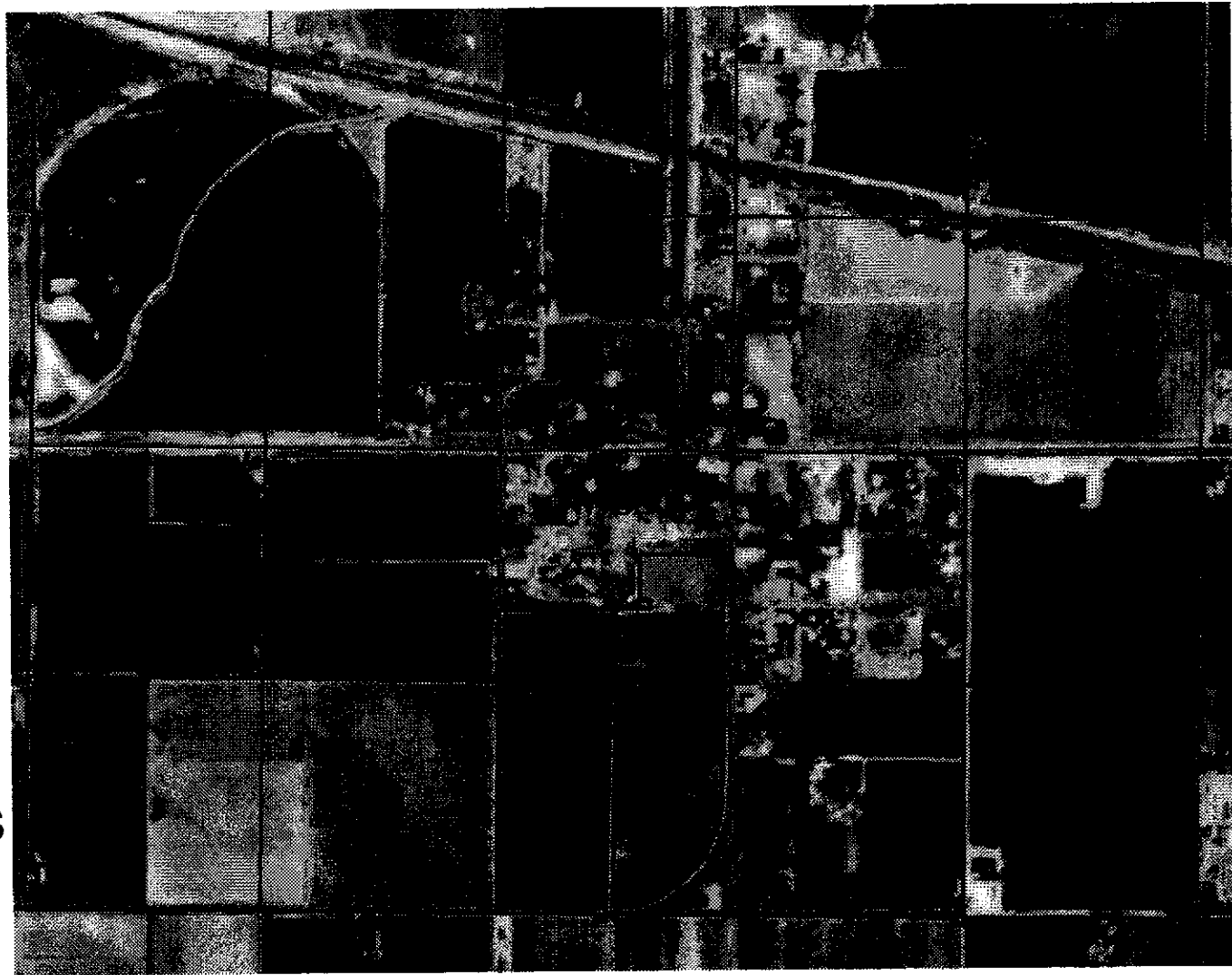
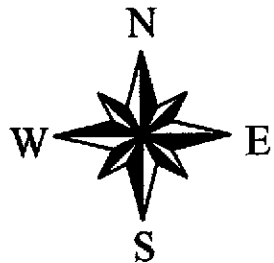
Point of Diversion



1/4 1/4 lines



Section Lines



1987 NAPP Photo



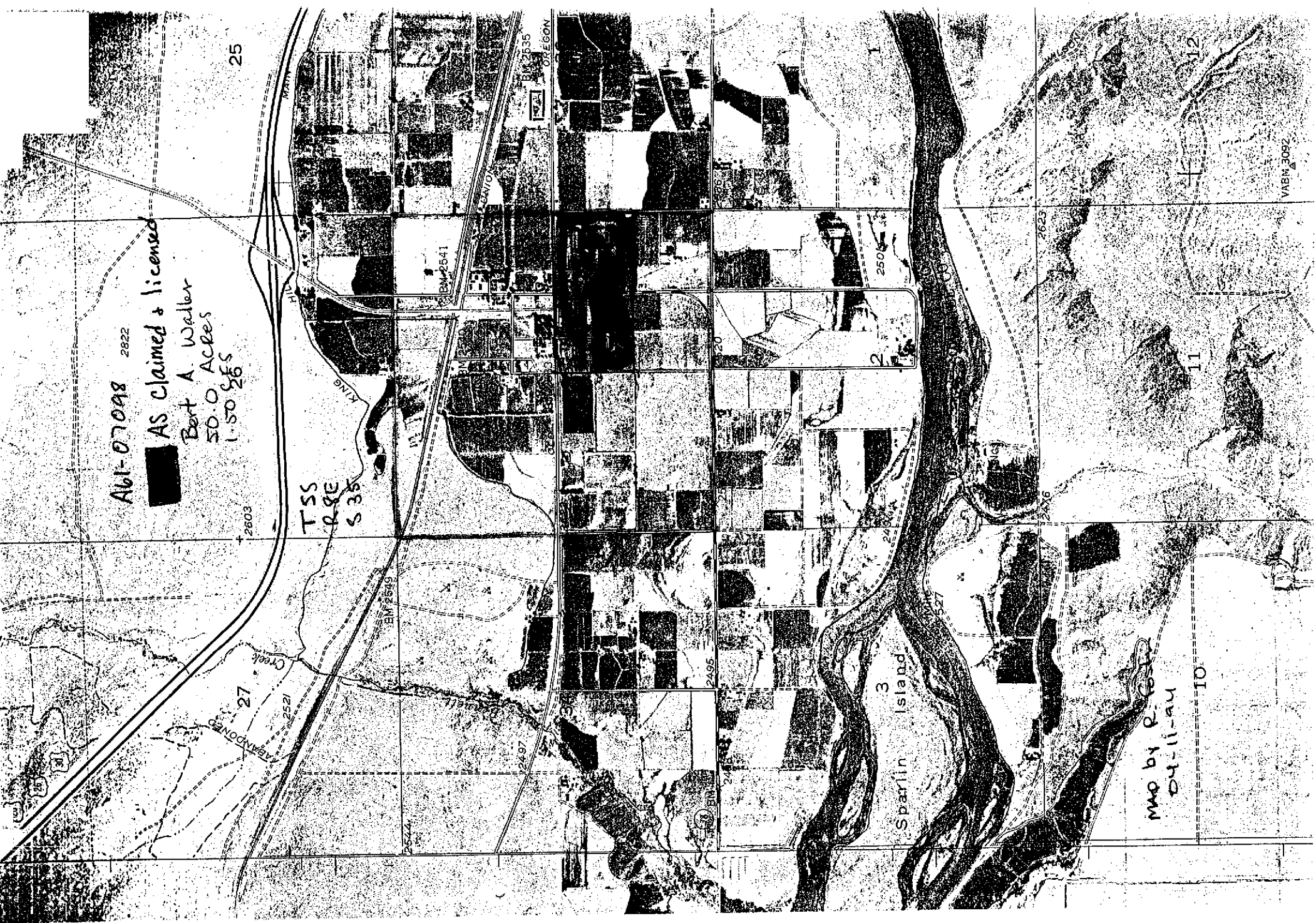
44-157

SS
SS
SS

Abt-07098 2822

AS Claimed & licensed

Bert A. Waller
50.0 Acres
1.50 \$/S



VABH 3092

D
19.1

E
113

58

K
335

J
8.3

H
165

A
181

A61-07098
A-31 Bert A. Waller
50.0 ACRES
1.50 CFS

B
57.9

TSS
R 8E
S 35

91

83

35

2

A-178
C
11.2

D
11.4

80
A

B
160

115
H

F
96

E
10.3

G
40

B
57.9

A
22.4

A-166

C
19.4

A
8.4

35

2

A-178
C
11.2

D
11.4

80
A

B
160

115
H

F
96

E
10.3

G
40

B
57.9

A
22.4

A-166

C
19.4

A
8.4

35

2

A-178
C
11.2

D
11.4

80
A

B
160

115
H

F
96

E
10.3

G
40

E
67

D
10.4

F
22.3

C
30

B
20.1

A
11.1

G
1.3

A-307

(307A)

H
12.6

K
96

L
10.1

Map by R. Foster
4-11-94

AA-15



AS Shown on ASCS photo
and licensing exam 10-31-77

26

25

TSS
R&E
S35

BM 2529

AB1-0709
Bert A. Waller
50.0 acres
1 SB CFS

BM 2541

BM 2535

BM

2495

2520

2536

Sparlin Island

MHC
527

2476

2623

2886

10

11

12

Map by R. Foster
04-11-94

VABM 3092

50107

WATER RESOURCES

T05S, R08E, S35

Claimant(s): Johnson &
Mellum

Claim No(s): 61-07098

Prepared by: Sue Bock

Date: 11/13/1998



Place of Use



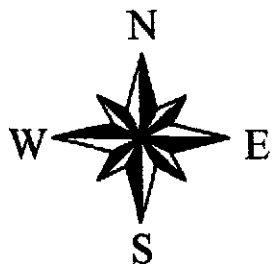
Point of Diversion



1/4 1/4 lines



Section Lines



1987 NAPP Photo



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 61-7098 Priority October 14, 1971 Amount 1.50 cfs

THIS IS TO CERTIFY, that BERT A. WALLER
of Hammett, Idaho, has complied with the terms and conditions of Permit
No. 61-7098 issued pursuant to Application for Permit dated October 14, 1971,
and has submitted proof to the Department of Water Resources on November 16, 1976,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.74 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>April 1</u> to <u>November 1</u>	at <u>1.50</u> cfs and	<u>350</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 1.50 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
350 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, Twp. 5S,
Rge. 8E, B.M. in the County of Elmore

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5S	8E	35													16.433.6				50

Total number of acres irrigated 50

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 23 day of
July, 19 79.

Director

DATE OF EXAM 10-25-77

ACREAGE
Found 50
Recommended 50

Irrigation Requirement 4.5 Ac Ft/Ac

USE
Irrigation Q = 1.50 c.f.s. V = 225 AF/Ann. from Apr. 1 to Nov. 1
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
55	8E	35															18%	33.6	47.2 50.0
																	16.9		

Field examiner's land recommended Total number of acres irrigated 47.2 50.0

County _____

Total Q measured 1.74 cfs Method of measurement meter

Total Q recommended 1.50 cfs Meter No. 743618 Type in-line Condition good

Total V recommended 225 AF/yr

Recommended Amendments:

P.D. _____
Place of Use ✓ See Rough Draft License
Other _____
None _____

MEASUREMENT CALCULATION:

$Q = 779 \text{ gpm} \div 448.8 \text{ gpm/cfs} = 1.74 \text{ cfs}$
 $V = 50 \text{ A} \times 4.5 \text{ AF/A-Year} = 225 \text{ AF/Year}$

SYSTEM DESCRIPTION:

Well pumped with Aurora Pump powered by 40hp
GE motor. Discharge to ~~open~~ ground and flood
irrigation.

REMARKS:

Flow measurement from pump test of August 9-10, 1977.

Examiner's Signature William H. Mac Allister Date 10-31-77

Checked by lys Date 11-9-77

Approved by _____ Date _____

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder Bert A. Waller
Post office address Box 65, Hammett, ID 83627 Phone _____
Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☒ Surface water ☐ _____
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 1.50 c.f.s. for Irrigation
_____ AF/Annum (nature of use)

Period of Use: from April 1 to Nov. 1
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 1.50 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 5S N/S, Range 8E E/W, B.M., Section 35, Subdivision NW 1/4 SE 1/4, Elmore
County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____
County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____
County

Other Points of Diversions: _____

Description of diverting works: 16" dia. well, 125' deep, 40 hp pump into sprinkler system
or to open ditch

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5S	8E	35													25	25			50

TOTAL ACREAGE 50

Permit No. 61-7098
Examination for b/u

Rge. 8E

T
5
S

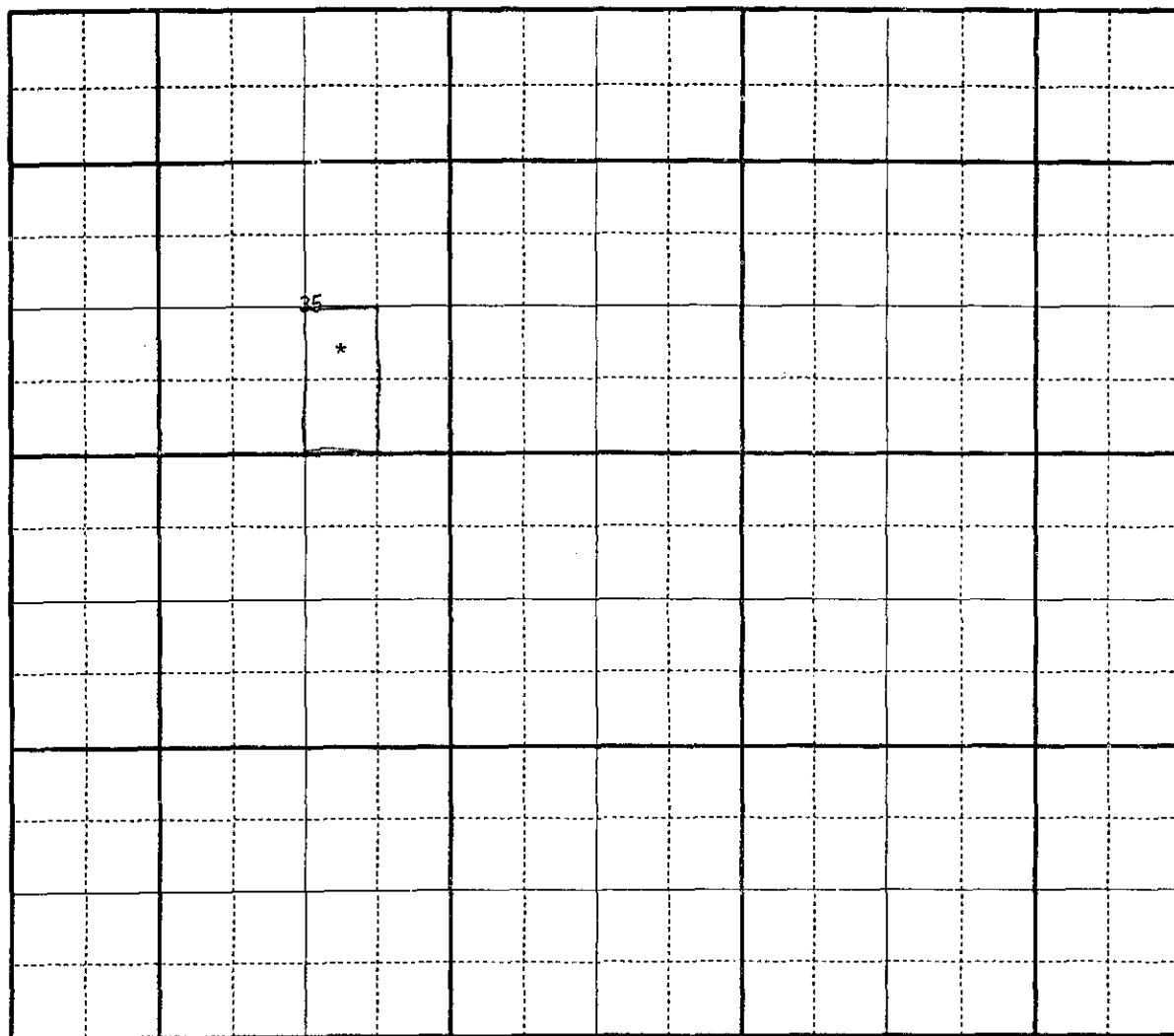


Diagram of System

Glen S.

Results of the test can be summarized as follows:

- Conclusions to be drawn from the results of the test include:

2) If the Davis and Irons wells are hydraulically connected to the producing aquifer tapped by the Haller well, pumpage effects would be slow in being seen and would be ~~minimized~~ *minimized* if they occurred.

2) If the Davis and Irons wells are hydraulically connected to the producing aquifer tapped by the Haller well, pumpage effects would be slow in being seen and would be ~~minimized~~ *minimized* if they occurred.

3) Significant injury has not occurred to any of the observed domestic wells due to pumpage of the Waller well, and is not likely to occur even under continual pumpage of the Waller well throughout an estimated 140-day growing season.

PAUL M. CASTELIN
Hydrogeologist

PMC:cf

Sent to Waller, Janousek, Davis, Irons
and Sen. Steen.

C
O
P
Y

F
Y

RECEIVED

Plz FINE IN 01-07098

From: DWR03::CFRITSCH 11-SEP-1997 13:38:11.53
To: DWR80::JSHURTE
CC: CFRITSCH
Subj: A61-07098

Hi Jan,

I helped a walk-in customer with a change of ownership for A61-07098 today and it was discovered that the license was issued with an error in the quarter-quarter descriptions. Sharla is going to issue a corrected license, and since the right was claimed as licensed, I feel the corrected license should amend the claim. I will send the package to you when I get it back from Sharla.

Thanks,

Carter

RECEIVED

FEB 08 1999

WATER RESOURCES
WESTERN REGION

MEMORANDUM

DATE: February 8, 1999

TO: Jan Shurte

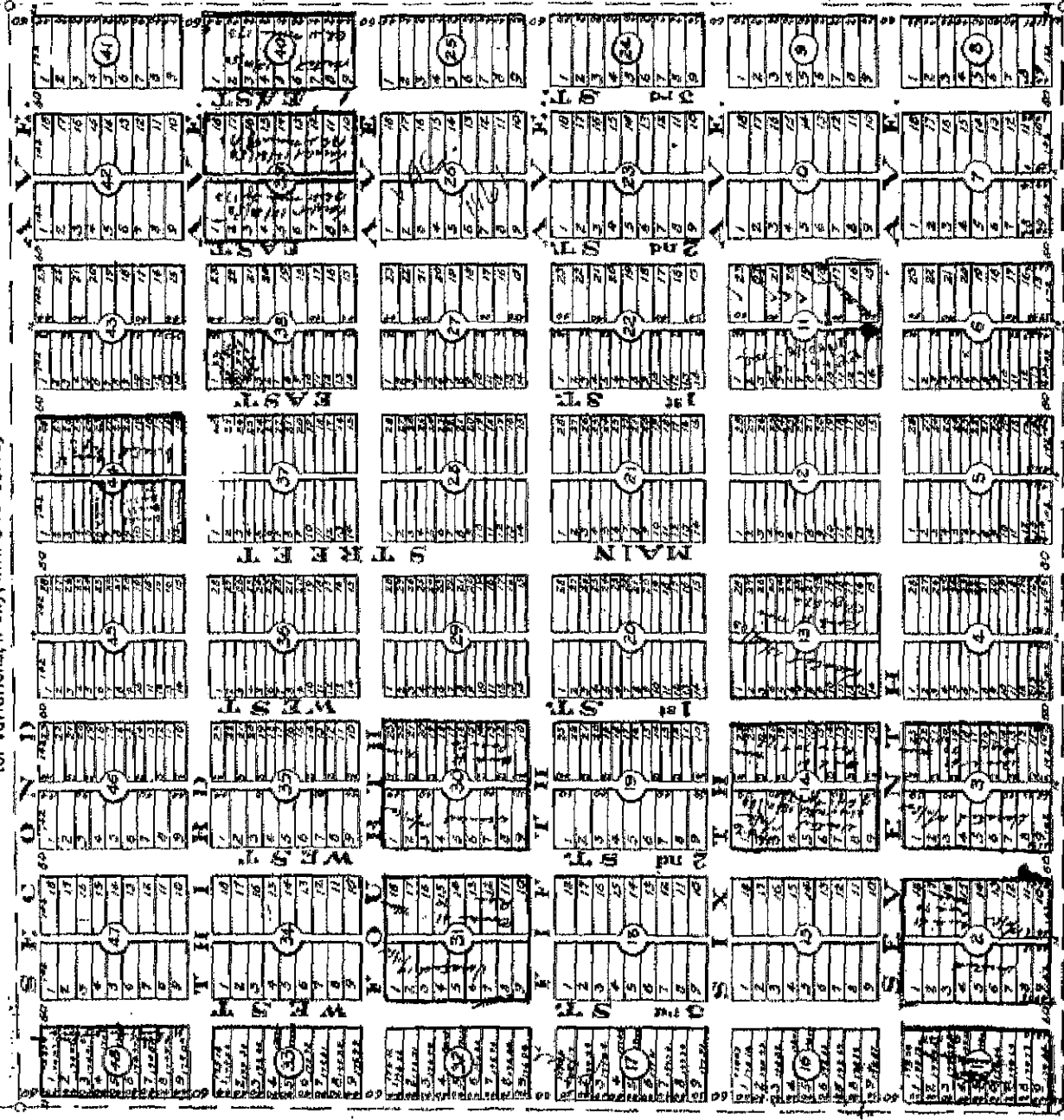
FROM: Shelley W. Keen *SWK*

RE: SRBA Claim A61-07098

I am sending you all the documentation related to the effort to correct the place of use on licensed water right 61-07098. I understand you have decided to address the issue through the SRBA as an accomplished transfer. I am also returning our copies of the ownership change information. It appears from your R-record that you're recommending the claim in the name of MCG Co. LLP, so we will not need to make the change in the WR database.

PLANNED
SOUTH ADDITION
TO THE TOWN OF
HAMMETT
IDAHO

While this is a photographic reproduction of the
recorded plat, the Company assumes no liability
for variations, if any, with a re-survey.



PARCEL NO.

RP 00111026001B A

TAX CODE 22-00

CATEGORY DESCRIPTION

15 RUR SUB RES
37 BLDG RES SUB

LOTS/ACRES

2.400 AC

1998

MARKET VALUE

13,017
690

2.400

13,707*

OWNER ARELLANO COREY K & JUANITA R

201 LUPIN DR
BATTLE MTN

NV 89820

LEGAL VAC LOTS 1-18 BLK 26
SO HAMMETTPROPERTY ADDRESS
PARCEL NO. RP 00111026001B A TAX CODE 22-00

PARCEL NO.

RP 00111027005A A

TAX CODE 22-00

CATEGORY DESCRIPTION

15 RUR SUB RES
37 BLDG RES SUB

LOTS/ACRES

2.370 AC

1998

MARKET VALUE

10,057
230

2.370

10,287*

OWNER SMITH RENAE M

P O BOX 51
HAMMETT

ID 83627

LEGAL LOTS 5 6 7 8
N2 LOT 9 BLK 27
SO HAMMETTPROPERTY ADDRESS
PARCEL NO. RP 00111027005A A TAX CODE 22-00

PARCEL NO.

RP 00111025001A A

TAX CODE 22-00

CATEGORY DESCRIPTION

15 RUR SUB RES
37 BLDG RES SUB

LOTS/ACRES

1.480 AC

199

MARKET VALUE

11,564
34

1.480

11,990

OWNER WOODS EARL E
2 WOODS MILORED D
2311 BURTON

ID 83318

LEGAL LOTS 1-9
BLK 25
SO HAMMETTPROPERTY ADDRESS
PARCEL NO. RP 00111025001A A TAX CODE 22-00

PARCEL NO.

RP 00111027001A A

TAX CODE 22-00

CATEGORY DESCRIPTION

15 RUR SUB RES
37 BLDG RES SUB

LOTS/ACRES

2.370 AC

199

MARKET VALUE

11,005
25,571

2.370

15,883

OWNER RUSH MICHAEL L & COLLEEN M

HC 63 BOX 58A
HAMMETT

ID 83627

LEGAL LOTS 1-4 BLK 27
SO ADD HAMMETTPROPERTY ADDRESS
PARCEL NO. RP 00111027001A A TAX CODE 22-00

PARCEL NO.

RP 00111027013A A

1998
MARKET VALUE
286

CATEGORY DESCRIPTION
RUR SUB RES

TAX CODE 22-00
LOTS/ACRES
.200 AC

.200

286*

OWNER ANDERSON C M

190 N 14TH E
MTN HOME ID 83647LEGAL LOTS 13-14 BLK 27
SO HAMMETTPROPERTY ADDRESS
PARCEL NO. RP 00111027013A A TAX CODE 22-00

PARCEL NO.

RP 00111027017A A

1998
MARKET VALUE
10,272

CATEGORY DESCRIPTION
RUR SUB RES

TAX CODE 22-00
LOTS/ACRES
.520 AC

.520

10,272*

OWNER ANDERSON C M

190 N 14TH E
MTN HOME ID 83647LEGAL LOTS 17 18 19 & 20
BLK 27
SO HAMMETTPROPERTY ADDRESS
PARCEL NO. RP 00111027017A A TAX CODE 22-00

PARCEL NO.

RP 00111027010A A

TAX CODE 22-00
LOTS/ACRES
.290 AC

CATEGORY DESCRIPTION
15 RUR SUB RES

.290

1998
MARKET VALUE
415

415

OWNER ANDERSON C M

190 N 14TH E
MTN HOME ID 83647LEGAL S2 LOT 9
ALL 16-12 BLK 27
SOUTH HAMMETTPROPERTY ADDRESS
PARCEL NO. RP 00111027010A A TAX CODE 22-00

PARCEL NO.

RP 00111027015A A

TAX CODE 22-00
LOTS/ACRES
.270 AC

CATEGORY DESCRIPTION
15 RUR SUB RES

.270

1998
MARKET VALUE
386

386

OWNER ANDERSON C M

190 N 14TH E
MTN HOME ID 83647LEGAL LOTS 15 16 BLK 27
SG ADD HAMMETTPROPERTY ADDRESS
PARCEL NO. RP 00111027015A A TAX CODE 22-00

PARCEL NO.

RP 00111028001C A

PARCEL NO.

RP 00111027021A A

TAX CODE 22-00

TAX CODE 22-00

LOTS/ACRES

MARKET VALUE

.480 AC

10,215
20,765

CATEGORY DESCRIPTION

81 EXEMPT PROP
81 EXEMPT PROP.400 AC
.400

MARKET VALUE

5 ROR SUB RES
7 BLDG RES SUB

.480

30,980*

OWNER GOOD JERRY & DOLORES

OWNER HAMMETT COMM CHURCH

BOX 223
HAMMETT ID 83627BOX 35
HAMMETT

ID 83627

LEGAL
LOTS 1-5 & VAC ALLEY
BLK 28
SOUTH HAMMETTLEGAL
LOTS 21-23 BLK 27
SO HAMMETTPROPERTY ADDRESS
PARCEL NO. RP 00111028001C A TAX CODE 22-00PROPERTY ADDRESS
PARCEL NO. RP 00111027021A A TAX CODE 22-00

PARCEL NO.

RP 00111028011B A

PARCEL NO.

RP 00111028006A A

TAX CODE 22-00

TAX CODE 22-00

LOTS/ACRES

MARKET VALUE

.480 AC

10,215
10,215CATEGORY DESCRIPTION
15 ROR SUB RES.480 AC
.480

MARKET VALUE

5 ROR SUB RES

.480

10,215

OWNER WOODS LEON A & JOY H

OWNER CODD JERRY & DOLORES

HC BOX 60
HAMMETT ID 83627BOX 223
HAMMETT

ID 83627

LEGAL
LOTS 11-14 BLK 28
& VAC ST & ALLEY
SOUTH HAMMETTLEGAL
LOTS 6-10 & VAC ALLEY
BLK 28
SOUTH HAMMETTPROPERTY ADDRESS
PARCEL NO. RP 00111028011B A TAX CODE 22-00PROPERTY ADDRESS
PARCEL NO. RP 00111028006A A TAX CODE 22-00

PARCEL NO.

RP 001110280178 A

TAX CODE 22-00

LOTS/ACRES

.170 AC

.170

CATEGORY DESCRIPTION
RUR SUB RES

1998

MARKET VALUE

10,000

10,000*

OWNER PRATHER LEWIS R

440 FILLMORE AVE ID 83211

AMERICAN FALLS

LEGAL LOTS 17-18 BLK 28

SO HAMMETT
& VAC ALLEYPROPERTY ADDRESS
PARCEL NO. RP 001110280178 A TAX CODE 22-00

PARCEL NO.

RP 00111028025B A

TAX CODE 22-00

LOTS/ACRES

.390 AC

MARKET VALUE

10,086

11,302

11,747

25,135*

OWNER GARDINER

MICHAEL R & CHERYL L

HC 63 BOX 60B

HAMMETT

ID 83627

LEGAL LOTS 25-28
BLK 28 & VAC ALLEY
SO HAMMETTPROPERTY ADDRESS
PARCEL NO. RP 00111028025B A TAX CODE 22-00

PARCEL NO.

RP 001110280158 A

TAX CODE 22-00

LOTS/ACRES

.310 AC

.310

CATEGORY DESCRIPTION
15 RUR SUB RES

199

MARKET VALUE

443

443

OWNER PRATHER LEWIS RAY

440 FILLMORE AVE ID 83211

AMERICAN FALLS

LEGAL

LOTS 15-16
& VAC ST & ALLEY
BLK 28 SO HAMMETTPROPERTY ADDRESS
PARCEL NO. RP 001110280158 A TAX CODE 22-00

PARCEL NO.

RP 00111028019B A

TAX CODE 22-00

LOTS/ACRES

.520 AC

199

MARKET VALUE

10,772

9,888

20,652

OWNER BRIGGS BUNTAM

HC 63 BOX 58C
HAMMETT

ID 83627

LEGAL LOTS 19-24 BLK 28
SO HAMMETT
& VAC ALLEYPROPERTY ADDRESS
PARCEL NO. RP 001110280198 A TAX CODE 22-00

PARCEL NO.

RP 00111037007A A

TAX CODE 22-00

1998

CATEGORY DESCRIPTION

LOTS/ACRES

MARKET VALUE

RUR SUB RES

343

343*

PR LOBNITZ EVELYN B

909 GOSSETT AVE
BOISE

ID 83704

LOTS 7 8 9 BLK 37
SO HAMMETT

PROPERTY ADDRESS

EL NO. RP 00111037007A A TAX CODE 22-00

PARCEL NO.

RP 00111037013A A

TAX CODE 22-00

1998

CATEGORY DESCRIPTION

LOTS/ACRES

MARKET VALUE

RUR SUB RES
RURAL IMP ON AG

272

115

387*

KOCH KARL E

P O BOX 4
HAMMETT

ID 83627

LOT 13 14 BLK 37
SO HAMMETT

PROPERTY ADDRESS

EL NO. RP 00111037013A A TAX CODE 22-00

PARCEL NO.

RP 00111037004A A

TAX CODE 22-00

1997

CATEGORY DESCRIPTION

LOTS/ACRES

MARKET VALUE

15 RUR SUB RES
37 BLDG RES SUB

10.95

3,892

14,850

OWNER CHESTNUT WINEFORD DALE
& CHESTNUT RITA NEVADA
P O BOX 104
HAMMETT ID 83627LEGAL LOTS 4-6 & 15-23
BLK 37
SO HAMMETT

PROPERTY ADDRESS

PARCEL NO. RP 00111037004A A TAX CODE 22-00

PARCEL NO.

RP 00111037010A A

TAX CODE 22-00

1998

CATEGORY DESCRIPTION

LOTS/ACRES

MARKET VALUE

15 RUR SUB RES

343

343*

OWNER SPIDELL RONALD L

2417 SPAULDING
BOISE

ID 83705

LEGAL LOTS 10 11 12 BLK 37
SO HAMMETT

PROPERTY ADDRESS

PARCEL NO. RP 00111037010A A TAX CODE 22-00

PARCEL NO.

RP 00111038001A A

TAX CODE 22-00

LOTS/ACRES

1998
MARKET VALUE10,157
10,362

20,519*

CATEGORY DESCRIPTION

15 RUR SUB RES

TAX CODE 22-00

LOTS/ACRES

.270 AC

.270

1998

MARKET VALUE

386

386

OWNER CORIELL MARK T & MARRIA K

P O BOX 83
HAMMETT

ID 83627

VAC LOTS 1-5 BLK 38
SO ADD HAMMETT

3AL

PROPERTY ADDRESS
PARCEL NO. RP 00111038001A A TAX CODE 22-00

OWNER ORTIZ ANTONIO & SONIA

P O BOX 1032
GLENN'S FERRY ID 83623LEGAL
LOTS 26-28
BLK 37
SOUTH HAMMETTPROPERTY ADDRESS
PARCEL NO. RP 00111037026A A TAX CODE 22-00

PARCEL NO.

RP 00111038007A A

TAX CODE 22-00

LOTS/ACRES

1998
MARKET VALUE10,757
10,690

10,967*

CATEGORY DESCRIPTION

5 RUR SUB RES
7 BLDG RES SUB

OWNER BOONE CLARENCE E

P O BOX 134
HAMMETT

ID 83627

VAC LOTS 7-12 BLK 38
SO HAMMETT

3AL

PROPERTY ADDRESS
PARCEL NO. RP 00111038007A A TAX CODE 22-00

PARCEL NO.

RP 001110380060 A

TAX CODE 22-00

LOTS/ACRES

1998

MARKET VALUE

117

117

CATEGORY DESCRIPTION

15 RUR SUB RES

OWNER CANUTO ROSELLE

5500 NORTH KILGAS
LINCOLN CA 95648LEGAL
LOT 6 BLK 38
SG HAMMETTPROPERTY ADDRESS
PARCEL NO. RP 001110380060 A TAX CODE 22-00

PARCEL NO.

RP 00111039013A

TAX CODE 22-00
MARKET VALUE 1998 300

15 RUR SUB RES

1.200 AC

1.200

300*

KOCH KARL E

P O BOX 4
HAMMETT

ID 83627

LOTS 13-23 BLK 30
SO ADD TO HAMMETT

PROPERTY ADDRESS
PARCEL NO. RP 00111039013A A TAX CODE 22-00

PARCEL NO.

RP 00111039013A

TAX CODE 22-00
MARKET VALUE 1998 272

15 RUR SUB RES

272

OWNER FLESHMAN JOYCE A
% HALE JOYCE A
16968 65TH LANE NE WA 98011
BOTHELL

LEGAL LOTS 13 14 BLK 38
SO HAMMETT

PROPERTY ADDRESS
PARCEL NO. RP 00111039013A A TAX CODE 22-00

PARCEL NO.

RP 00111040001B A

TAX CODE 22-00
MARKET VALUE 1998 40,524*

15 RUR SUB RES

13,279

19,293

19,052

40,524*

HUMPHREYS RICHARD

HC 63 BOX 15B
HAMMETT

ID 83627

AC LOTS 1-9
BLK 40 PLUS VAC STS
OUTH HAMMETT

PROPERTY ADDRESS
PARCEL NO. RP 00111040001B A TAX CODE 22-00

PARCEL NO.

RP 00111039001B A

TAX CODE 22-00
MARKET VALUE 1998 3,988*

15 RUR SUB RES

13,988

3,988*

OWNER HUMPHREYS RICHARD

HC 63 BOX 15B
HAMMETT

ID 83627

LEGAL VAC LOTS 1-18
BLK 39 PLUS VAC ALLEY & ST
SOUTH HAMMETT

PROPERTY ADDRESS
PARCEL NO. RP 00111039001B A TAX CODE 22-00

111522 REAL ESTATE PURCHASE AND SALE AGREEMENT

THIS DOCUMENT IS INTENDED TO BE A LEGALLY BINDING AGREEMENT. DO NOT SIGN THIS DOCUMENT UNLESS IT IS FULLY COMPLETED AND YOU COMPLETELY UNDERSTAND BOTH THE FRONT AND BACK OF IT. YOU SHOULD CONSULT YOUR ATTORNEY BEFORE YOU SIGN THIS AGREEMENT OR ANY OTHER DOCUMENT THAT IS INTENDED TO BE A LEGALLY BINDING AGREEMENT.

AGREEMENT. The undersigned buyer(s) agree to buy, and the undersigned seller(s) agree to sell, the property described below, at the price and terms described herein.

Buyer's Signature: [Signature] Date: _____
 Buyer's Signature: _____ Date: _____
 Seller's Signature: _____ Date: _____
 Seller's Signature: _____ Date: _____

State of _____
 County of _____ ss

On this _____ day of _____, 199____, before the undersigned, a Notary Public, personally appeared _____, known to me to be the person(s) who signed this agreement and acknowledged to me that _____ he executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Notary Public for _____ Residing at _____ My bond expires _____, 199____

SPECIFIC TERMS AND DETAILS OF AGREEMENT:

[1] Legal
 Description: (Legal attached)

Well with water right no. AJ5809HP
no. A61-07098

[2] Property
 Address: _____

Hammett (City), Elmore (County), Idaho.

[3] Amount of
 Earnest Money: Five Thousand & No/100

(\$ 5,000.00) Receipt Acknowledged by: Jerry Gorrell

[4] Form of
 Earnest Money: ☒ Personal Check ☐ Cashiers Check ☐ Cash
☐ Promissory Note ☐ Other (Describe in "Additional Terms of Purchase").

[5] Total Price
 of Property: One Hundred Thousand & no/100

(\$ 100,000.00)

[6] Financing: ☒ Cash ☐ FHA ☐ VA ☐ IHA
☐ Conventional ☐ Assume Seller's Loan
☐ Seller Financing (Describe in "Additional Financing Terms", below)

[7] Down
 Payment: Cash at closing

(\$ _____)

[8] Additional
 Financing Terms: none

[9] Contingencies: ☒ None (No Contingencies Apply)
 Contingent on Financing: ☐ Yes ☐ No
 Contingent on sale of buyer's home: ☐ Yes ☐ No
 Other Contingency (Describe in "Additional Financing Terms"): ☐ Yes ☐ No
 Maximum interest rate for Buyer's loan: N/A %
 Maximum number of points: _____
 Seller is obligated to pay: N/A
 Maximum cost of lender/code repairs to be paid by Seller: \$ N/A
 Property to remain on market: ☐ Yes ☐ No

[10] Date
 of Closing: July 1, 1997 Date of Possession: Closing date

[11] Closing to
 be performed by: Guaranty Title

[12] Title Insurance to be
 provided by (Title Company): Guaranty Title

[13] Property Specifically
 INCLUDED in Sale: All Bert Waller's irrigation equipment currently being used to farm property.

[14] Property Specifically
 EXCLUDED from Sale: Andy Johnson's personal property.

[15] Offer subject to
 Acceptance by (Date): June 12, 1997 (Time): 5:00 P.M.

[16] Listing
 Broker: Jerry Gorrell Selling Broker: Jerry Gorrell

[17] Responsible
 Broker: Jerry Gorrell Amount of Commission: 6%

[18] AGENCY DISCLOSURE: At the time of signing this agreement the agent working with the buyer represented Buyer & Seller and the agent working with the seller represented Buyer & Seller. Each party signing this document confirms that prior written disclosure of agency was provided to him/her in this transaction. Each party to this transaction has read and understands the contents of the agency disclosure brochure previously received.

[19] Parties to Transaction:
 Buyer's Name(s): John McCallum or assigns
 Address: P.O. Box 143

City, State, Zip: Garden Valley, Idaho

Seller's Name(s): Bert Waller Estate

Address: _____

City, State, Zip: Hammett, Idaho

[20] Additional
 Terms of Purchase: Buyer acknowledges current

lease with Andy Johnson and will honor it for the 1997 season.

Second half of lease payment shall be paid to Buyer.

Buyer hereby receipts for a copy of this agreement with the seller's signature showing seller's acceptance of offer OR agent certifies that the buyer's copy with seller's acceptance was sent to buyer via certified mail.
 Signature: [Signature] Date: _____

The provisions on the BACK of this form are also a part of this agreement. Buyer's Initials: _____ Seller's Initials: [Signature]

And this Paper - clipped info
to Roxane w/ a copy of the
approved amended license when
it's issued.

Shelley -

Carter gave ownership doc's
to Roxane. Rox brought back to me.
This policy = use amended license
to amend claim - can't process
ownership chgs w/o amended lie.
because legals don't match. They'd
have to get the guy to sign an
amended claim first and why
go through that if the amended
license makes the legals agree.

???

SC

115106

ADDENDUM/COUNTER OFFER

#

THIS DOCUMENT IS INTENDED TO BE A LEGALLY BINDING AGREEMENT. DO NOT SIGN THIS DOCUMENT UNLESS IT IS PROPERLY COMPLETED AND YOU FULLY UNDERSTAND IT. YOU SHOULD CONSULT YOUR ATTORNEY BEFORE YOU SIGN THIS AGREEMENT OR ANY OTHER IMPORTANT LEGAL DOCUMENT.

ADDENDUM/COUNTER OFFER. The undersigned buyer(s) and the undersigned seller(s) agree that the terms described below are incorporated into and made a part of the Purchase and Sale Agreement identified herein.

Buyer's
Signature: [Signature]
Buyer's
Signature: _____

Seller's
Signature: [Signature]
Seller's
Signature: _____

Date: 12 Jun 97 Time: 4:00 ☐ AM ☒ PM

Date: 12 Jun 97 Time: _____ ☐ AM ☐ PM

SPECIFIC TERMS AND DETAILS OF ADDENDUM/COUNTER OFFER:

☒ This is a/an ☐ Addendum ☒ Counter Offer to the Purchase and Sale Agreement ID# 111522 signed by the Buyer on: June 12, 1997 (Date).

☒ If this is a Counter Offer, it must be accepted no later than June 13 (Date) at 12:00 ☒ AM ☐ PM

☒ This Addendum/Counter Offer Originated by: ☐ Buyer ☒ Seller

☒ Parties to Transaction:
Buyer's Name(s): John McCallum Seller's Name(s): Bert Weller's Estate

☒ Property
Address: _____, Hammett (City), Elmore (County), Idaho.

☒ Each party signing this document acknowledges receipt of a copy of this document at the time of signing it.

☒ Additional
Terms/Changes: Line 22 - 1) Second half of loose payment shall be paid to Seller

Line 13 - signature change: 1/4 mile handline
2 - pumps

1/4 mile portable manure belongs to Pete Midson

Originator hereby receipts for a final copy of this document containing all necessary signatures OR agent certifies that Originator's copy containing all necessary signatures was sent to Originator via certified mail.

Signature: [Signature] Date: 12 Jun 97

LEGAL DISCRIPTION

VAC BLOCK 2 PLUS VAC STREETS AND ALLEY
VAC BLK 3 LESS HWY PLUS VAC STREETS & ALLEY
VAC BLK 4& W OF HWY PLUS VAC STREETS & ALLEY
BLK 4 SOUTH &EAST OF HWY LESS LOT 21
VAC BLK 13 LESS HWY PLUS VAC STREETS & ALLEY
VAC BLK 14 PLUS VAC STREETS & ALLEY
VAC BLK 15 PLUS VAC STREETS & ALLEY
VAC BLK 16 PLUS VAC STREETS
VAC BLK 17 PLUS VAC STREETS
VAC BLK 18 PLUS VAC STREETS & ALLEY
VAC BLK 19 PLUS VAC STREETS & ALLEY
VAC BLK 20 PLUS VAC STREETS & ALLEY
VAC BLK 29 PLUS VAC STREETS & ALLEY
VAC BLK 30 PLUS VAC STREETS & ALLEY
VAC BLK 31 PLUS VAC STREETS & ALLEY
VAC BLK 32 PLUS VAC STREETS
LOTS 1 & 10-23 IN VAC BLK 35 PLUS VAC STREETS & ALLEY
VAC BLK 36 plus vac streets & alley
ALL IN SOUTH HAMMETT, HAMMETT, IDAHO



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

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) AC1-7098
Adjudication Claim Number(s) _____
2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Bert A. Waller
Box 65, Hammett, Id. 83627
4. New Owner/Claimant(s) Mc G. Co. LLP
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address P.O. Box 727, Colerus Ferry, Id. 83623
City, State and ZIP Code _____
New Telephone Number (208) 366-7373
5. Date you acquired the property July 1, 1997
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres actually irrigated _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) [Signature] Date 8/27/97

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

INSTRUCTIONS

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

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

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

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

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

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

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

IDWR Southern Region, 1341 Fillmore St. N., Twin Falls, ID 83301-3380 (208) 736-3033

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

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

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by Billy G. Holland-Smith and Catherine A. Holland-Smith, as personal representatives of the estate of Bert A. Waller, deceased, Grantors, to McG Company, LLC

, Grantee, whose current address is ~~XXXXXXX~~
~~143 XX Garden Valley XX Idaho 83622~~ 113 Commerical Street N., Glenns Ferry,
ID 83623

WHEREAS, Grantors are the qualified personal representatives of said estate, filed as Case No. SP-FE-97-00001, in Elmore County, Idaho;

THEREFORE, for valuable consideration received, Grantors quitclaim, transfer, and convey to Grantee the following described real property in Elmore County, Idaho:

Vacated Block 19, plus vacated streets and alleys therein and adjacent thereto, in South Addition to Hammett, Elmore County, Idaho, as the same appears upon the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho.

Vacated Block 20, plus vacated streets and alleys therein and adjacent thereto, in South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho.

Vacated Block 29, plus vacated streets and alleys therein and adjacent thereto, in South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho.

Vacated Block 30, plus vacated streets and alleys therein and adjacent thereto, in South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho.

Vacated Block 31, plus vacated streets and alleys therein and adjacent thereto, in South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho.

Vacated Block 32, plus vacated street, therein and adjacent thereto, in South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho.

Lots 1 and 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23, inclusive, in vacated Block 35, plus the vacated streets and alleys therein and adjacent thereto, in South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho.

Vacated Block 36, plus vacated streets and alleys therein and adjacent thereto, in South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho.

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18, inclusive, of Block 2, of the South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho, TOGETHER with all vacated streets and alleys.

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23, inclusive, Block 3, South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho, TOGETHER with all vacated streets and alleys.

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20, inclusive and Lot 22, 23, 24, 25, 26, 27 and 28, Block 4, South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho. TOGETHER with all vacated streets and alleys.

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 and 28, inclusive of Vacated Block 13, South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho, TOGETHER with all vacated streets and alleys.

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23, inclusive, Block 14, South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho, TOGETHER with all vacated streets and alleys.

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18, inclusive, Block 15, South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho, TOGETHER with all vacated streets and alleys.

Lots 1, 2, 3, 4, 5, 6, 7, 8 and 9, inclusive, Block 16, South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho, TOGETHER with all vacated streets and alleys.

Lots 1, 2, 3, 4, 5, 6, 7, 8 and 9, inclusive, Block 17, South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho, TOGETHER with all

vacated streets and alleys.

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18, inclusive, of Vacated Block 18, South Addition of Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho, TOGETHER with all vacated streets and alleys.

TOGETHER with all portions of vacated street adjoining subject property, which upon vacation, attached to said land by operation of law, as disclosed in the Instruments recorded June 12, 1990, as Instrument No. 259297, and Instrument No. 146282, recorded July 26, 1971, records of Elmore County, Idaho. (Affects Blocks 2, 3, 4, 13, 14, 15, 16, 17, 18, 19, 20, 29, 30, 31, 32, 35, 36)

TOGETHER with all portions of vacated alleys, adjoining subject property, which upon vacation attached to said land by operation of law, as disclosed in the Instruments recorded June 12, 1990, as Instrument No. 259297, and Instrument No. 146282, recorded July 26, 1971, records of Elmore County, Idaho, (Affects Blocks 2, 3, 4, 13, 14, 15, 16, 17, 18, 19, 20, 29, 30, 31, 32, 35, 36)

SAVE AND EXCEPT all those portions used for Highway purposes, easements of record, visible easements and subdivision restrictions.

with all appurtenances.

EXECUTED this 2 day of July, 1997.


Billy G. Holland-Smith

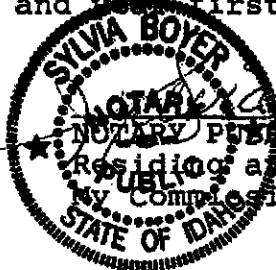

Catherine A. Holland-Smith
Petitioners' address and phone number:

272 Squaw Creek
Mountain Home, Idaho 83647
208-796-2144

STATE OF IDAHO)
COUNTY OF Emore) : ss

On this 2nd day of July, 1997, before me, the undersigned, a notary public in and for said state, personally appeared, Billy G. Holland-Smith and Catherine A. Holland-Smith, known or identified to me to be the persons whose names are subscribed to the within instrument, as Personal Representatives of the Estate of Bert A. Waller, deceased, and acknowledged to me that they executed the same as such Personal Representatives.

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



Residing at:

My Commission Expires:

Mountain Home
08/21/2002

1	1751.0
2	1752.8
3	1753.6
4	1754.3
5	1755.0
6	1755.7
7	1756.1
8	1756.8
9	1757.2

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1	176.12
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3	176.31
4	176.40
5	176.50
6	176.60
7	176.70
8	176.80
9	176.94

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5	177.43
6	177.51
7	177.60
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7	178.57
8	178.65
9	178.77

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4	179.28
5	179.36
6	179.44
7	179.52
8	179.60
9	179.72

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Keen, Shelley

From: Keen, Shelley
Sent: Thursday, February 04, 1999 9:40 AM
To: Bock, Susan
Subject: Request to amend license 61-07098

Sue,

I took some time this morning to review my notes on 61-07098, the license you have been hoping would be amended to change the POU from the N1/2 SE1/4 of Sec. 35 to the W1/2 SE 1/4 Sec. 35. When we approached him with the issue last fall, Norm Young was concerned that amending the license could inadvertently deprive property owners in the NESE of a water right they've been depending on. Somehow we need to provide notice to those property owners to ensure they have an opportunity to contest the change. It is likely that no one will respond, but due process considerations require us to provide the opportunity.

This morning Kari Lynn asked someone in the Elmore County assessor's office to provide me a list of property owners in the NESE. Once we have that list, I will discuss with Norm again the prospect of amending the license. As another alternative, we could require a transfer application. No matter what course we take, our action will be issued as an order of the department, which takes time to become final. Therefore, I cannot foresee your issue being resolved by Monday as you requested.

Please let me know if you have any questions.

Shelley Keen

Shelley —
Does Waller/MCB co.
own the 40 we are
taking the right from? How
do we know we aren't taking
a use away from someone who
relies upon it? wcr

CONVERSATION MEMORANDUM

DATE

12/10/98

FILE

A61-07098

NAME OF PARTY

JERRY GORRELL 366-7373

EMPLOYEE

92

RE: Change in Ownership for Bs. 61 Director's Report

Office Visit -

Delivered ownership info c/w $1\frac{1}{2}$ & $5\frac{1}{4}$ (see attached).

Appears So. is ready to issue amended license to correct error! p/w = w $1\frac{1}{2}$ (not $1\frac{1}{2}$) of $5\frac{1}{4}$.

Once license corrected:

1) complete change in own. into Maryland license already taken care of see A61-07098, attached)

2) Amended A61-07098 to match revised license via notice of error process.

Thus:

WR will equal AJ will equal beneficial use.

We may submit letter request to IDNR seeking clarification c/w use of WR for fire protection RE local ordinance Requirement.

cc: J.O. file
61-07098

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '**' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM	
		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac			
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac				
T05S R08E S 35		King Hill Irr.																	
A0200214	SNAKE RIVE :	1		1		1		1		1		1		1		1		1	
A0200215	SNAKE RIVE :	1		1		1		1		1		1		1		1		1	
A0200216	SNAKE RIVE :	1		1		1		1		1		1		1		1		1	
A0200217	SNAKE RIVE :	1		1		1		1		1		1		1		1		1	
3704112	MALAD RIVE :	32		30		28		32		25		2		22		35			
A3704112	MALAD RIVE :	27		23		40		34		24		22		22		37		40	
6104081	GROUNDWATE :																		
A6104081	GROUNDWATE :																		
6107098	GROUNDWATE :																		
A6107098	GROUNDWATE :																		
L6107098	GROUNDWATE :																		
6107221	GROUNDWATE :																		
--86 MAP--	C39Q-AA 15 :	37		33		35		39		33		29		39		37		37	
--86 MAP--	C73Q-AA 15 :	38		32		35		40		34		30		39		36		37	

P/D overlaps:

WR - 61-07098 is the only right w/ pld in NWSE, S35.

AJ - A61-11817 (Looney - 6" well for domestic purposes)
10645 (Hickman - 6" well for domestic purposes)
11859 (" " " & stockwater purposes)

MEMORANDUM

TO: File 61-07098

FROM: Sharla

DATE: Novemer 14, 1997

RE: Telecon with Assessor's Office

On this date, I contacted the Elmore County Assessor's Office to check property ownership in an attempt to find out whether or not issuing an amended license correcting the place of use descriptions would take the right away from someone who relies on it. The assessor's office employee told me that the entire SE $\frac{1}{4}$ is the South Hammett Subdivision. The only lot and block descriptions we have are the ones listed in the documentation submitted with the change of ownership. I then asked if ownership in the SE $\frac{1}{4}$ could be tracked back to Mr. Waller. She told me that Mr. Waller owned the west $\frac{1}{2}$ of what became the subdivision and what is described as the W $\frac{1}{2}$ SE $\frac{1}{4}$.

MEMORANDUM

TO: File 61-07098

FROM: Sharla Curtis

DATE: September 17, 1997

RE: Amended License

Carter and the current land owner came to my office a couple of days ago and brought this file to my attention. The description of the place of use on the license was typed as the NESE and NWSE rather than the NWSE and SWSE (it was shifted one $\frac{1}{4}$ to the left on the grid). An amended license has been prepared and the ownership updated from the paperwork Carter had collected.

This license was issued at $1\frac{1}{2}$ " / acre and 7.0 af/acre volume. There is documentation in the file as to the justification for these figures. Because of this, no changes were made on the amended license as to rate of diversion and annual volume.

111522 REAL ESTATE PURCHASE AND SALE AGREEMENT

THIS DOCUMENT IS INTENDED TO BE A LEGALLY BINDING AGREEMENT. DO NOT SIGN THIS DOCUMENT UNLESS IT IS FULLY COMPLETED AND YOU COMPLETELY UNDERSTAND BOTH THE FRONT AND BACK OF IT. YOU SHOULD CONSULT YOUR ATTORNEY BEFORE YOU SIGN THIS AGREEMENT OR ANY OTHER DOCUMENT THAT IS INTENDED TO BE A LEGALLY BINDING AGREEMENT.

AGREEMENT. The undersigned buyer(s) agree to buy, and the undersigned seller(s) agree to sell, the property described below, at the price and terms described herein.

Buyer's Signature: [Signature] Date: _____ Seller's Signature: _____ Date: _____
Buyer's Signature: _____ Date: _____ Seller's Signature: _____ Date: _____

State of _____
County of _____

On this _____ day of _____, 199____, before the undersigned, a Notary Public, personally appeared _____

_____ known to me to be the person(s) who signed this agreement and acknowledged to me that _____ he executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Notary Public for _____ Residing at _____ My bond expires _____, 199____

SPECIFIC TERMS AND DETAILS OF AGREEMENT:

[1] Legal
Description: (Legal attached)
Well with water right no. AJ5809HP
no. A61-07098

[2] Property
Address: Hammett (City), Elmore (County), Idaho.

[3] Amount of
Earnest Money: Five Thousand & No/100
(\$ 5,000.00) Receipt Acknowledged by: Jerry Gorrell

[4] Form of
Earnest Money: ☒ Personal Check ☐ Cashiers Check ☐ Cash
☐ Promissory Note ☐ Other (Describe in "Additional Terms of Purchase").

[5] Total Price
of Property: One Hundred Thousand & no/100
(\$ 100,000.00)

[6] Financing: ☒ Cash ☐ FHA ☐ VA ☐ IHA
☐ Conventional ☐ Assume Seller's Loan
☐ Seller Financing (Describe in "Additional Financing Terms", below)

[7] Down
Payment: Cash at closing
(\$ _____)

[8] Additional
Financing Terms: none

[9] Contingencies: ☒ None (No Contingencies Apply)
Contingent on Financing: ☐ Yes ☐ No
Contingent on sale of buyer's home: ☐ Yes ☐ No
Other Contingency (Describe in "Additional Financing Terms"):
"Additional Financing Terms": ☐ Yes ☐ No
Maximum interest rate for Buyer's loan: N/A %
Maximum number of points
Seller is obligated to pay: N/A
Maximum cost of lender/code repairs to be paid by Seller: \$ N/A
Property to remain on market: ☐ Yes ☐ No

[10] Date
of Closing: July 1, 1997 Date of Possession: Closing date

[11] Closing to
be performed by: Guaranty Title

[12] Title Insurance to be
provided by (Title Company): Guaranty Title

[13] Property Specifically
INCLUDED in Sale: All Bert Waller's irrigatio
equipment currently being used to farm
property.

[14] Property Specifically
EXCLUDED from Sale: Andy Johnson's personal
prpperty.

[15] Offer subject to
Acceptance by (Date): June 12, 1997 Time: 5:00 P.M.

[16] Listing
Selling
Broker: Jerry Gorrell Broker: Jerry Gorrell

[17] Responsible
Amount of
Broker: Jerry Gorrell Commission: 6%

[18] AGENCY DISCLOSURE: At the time of signing this agreement the agent working with the buyer represented Buyer & Seller and the agent working with the seller represented Buyer & Seller. Each party signing this document confirms that prior written disclosure of agency was provided to him/her in this transaction. Each party to this transaction has read and understands the contents of the agency disclosure brochure previously received.

[19] Parties to Transaction:
Buyer's Name(s): John McCallum or assigns
Address: P.O. Box 143

City, State, Zip: Garden Valley, Idaho

Seller's Name(s): Bert Waller Estate

Address: _____

City, State, Zip: Hammett, Idaho

[20] Additional
Terms of Purchase: Buyer acknowledges current

lease with Andy Johnson and will honor
it for the 1997 season.

Second half of lease payment
shall be paid to Buyer

Buyer hereby receipts for a copy of this agreement with the seller's signature showing seller's acceptance of offer OR agent certifies that the buyer's copy with seller's acceptance was sent to buyer via certified mail.

Signature: [Signature] Date: _____

The provisions on the BACK of this form are also a part of this agreement. Buyer's Initials: _____ Seller's Initials: [Initials]

115106

ADDENDUM/COUNTER OFFER

#

THIS DOCUMENT IS INTENDED TO BE A LEGALLY BINDING AGREEMENT. DO NOT SIGN THIS DOCUMENT UNLESS IT IS PROPERLY COMPLETED AND YOU FULLY UNDERSTAND IT. YOU SHOULD CONSULT YOUR ATTORNEY BEFORE YOU SIGN THIS AGREEMENT OR ANY OTHER IMPORTANT LEGAL DOCUMENT

ADDENDUM/COUNTER OFFER. The undersigned buyer(s) and the undersigned seller(s) agree that the terms described below are incorporated into and made a part of the Purchase and Sale Agreement identified herein.

Buyer's
Signature: [Signature]
Buyer's
Signature: _____

Seller's
Signature: [Signature]
Seller's
Signature: _____

Date: 12 Jan 97 Time: 9:00 ☐ AM ☒ PM

Date: 12 Jun 97 Time: _____ ☐ AM ☐ PM

SPECIFIC TERMS AND DETAILS OF ADDENDUM/COUNTER OFFER:

☒ This is a/an ☐ Addendum ☒ Counter Offer to the Purchase and Sale Agreement ID# 111522 signed by the Buyer on: June 12, 1997 (Date).

☒ If this is a Counter Offer, it must be accepted no later than June 13 (Date) at 12:00 ^{PM} ☐ AM ☐ PM

☒ This Addendum/Counter Offer Originated by: ☐ Buyer ☒ Seller

☒ Parties to Transaction
Buyer's Name(s): John McCallum Seller's Name(s): Bert Weller's Estate

☒ Property
Address: _____ Hamlet (City), Elmore (County), Idaho.

☒ Each party signing this document acknowledges receipt of a copy of this document at the time of signing it.

☒ Additional
Terms/Changes: Line 20 - 1) Second half of lease payment shall be paid to Seller.

Line 13 - irrigation equip: 1/4 mile headline
2 - pumps

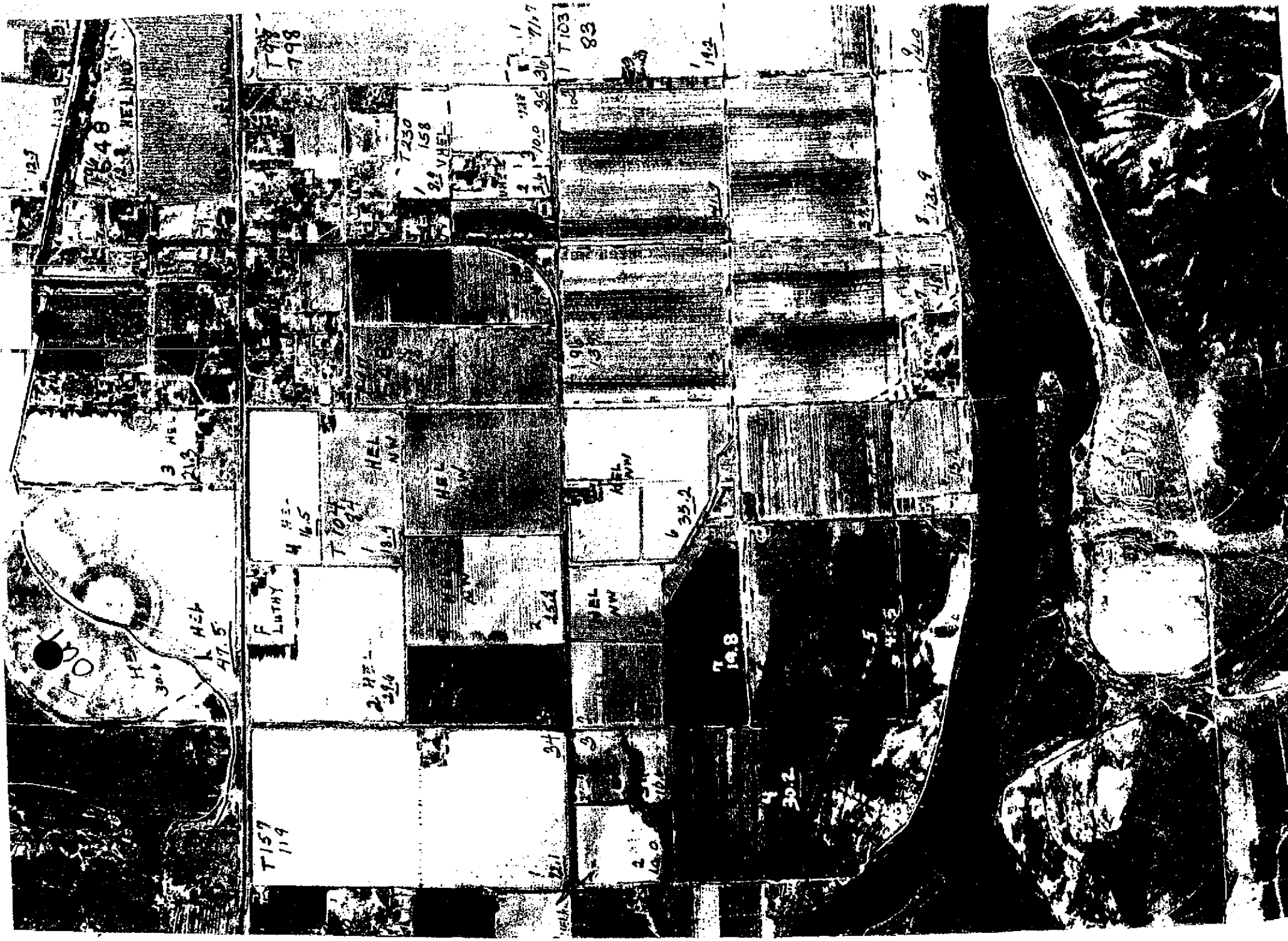
1/4 mile portable manure belongs to Pete Nielson

Originator hereby receipts for a final copy of this document containing all necessary signatures OR agent certifies that Originator's copy containing all necessary signatures was sent to Originator via certified mail.

Signature: [Signature] Date: 12 Jun 97

LEGAL DISCRIPTION

VAC BLOCK 2 PLUS VAC STREETS AND ALLEY
VAC BLK 3 LESS HWY PLUS VAC STREETS & ALLEY
VAC BLK 4& W OF HWY PLUS VAC STREETS & ALLEY
BLK 4 SOUTH & EAST OF HWY LESS LOT 21
VAC BLK 13 LESS HWY PLUS VAC STREETS & ALLEY
VAC BLK 14 PLUS VAC STREETS & ALLEY
VAC BLK 15 PLUS VAC STREETS & ALLEY
VAC BLK 16 PLUS VAC STREETS
VAC BLK 17 PLUS VAC STREETS
VAC BLK 18 PLUS VAC STREETS & ALLEY
VAC BLK 19 PLUS VAC STREETS & ALLEY
VAC BLK 20 PLUS VAC STREETS & ALLEY
VAC BLK 29 PLUS VAC STREETS & ALLEY
VAC BLK 30 PLUS VAC STREETS & ALLEY
VAC BLK 31 PLUS VAC STREETS & ALLEY
VAC BLK 32 PLUS VAC STREETS
LOTS 1 & 10-23 IN VAC BLK 35 PLUS VAC STREETS & ALLEY
VAC BLK 36 plus vac streets & alley
ALL IN SOUTH HAMMETT, HAMMETT, IDAHO



1	175.18
2	175.28
3	175.38
4	175.48
5	33
6	175.72
7	175.81
8	175.92
9	175.98

1	18
2	17
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4	15
5	14
6	13
7	12
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1	22
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1	23
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7	17
8	16
9	15

1	176.12
2	176.22
3	176.31
4	176.40
5	32
6	176.50
7	176.58
8	176.66
9	176.74

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7	22
8	21
9	20

1	177.05
2	177.17
3	177.24
4	177.34
5	17
6	177.51
7	177.59
8	177.79
9	177.91

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7	22
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9	20

1	178.03
2	178.14
3	178.23
4	178.32
5	16
6	178.54
7	178.64
8	178.74
9	178.87

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7	22
8	21
9	20

1	179.00
2	179.10
3	179.20
4	179.30
5	179.40
6	179.50
7	179.60
8	179.70
9	179.80

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PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by Billy G. Holland-Smith and Catherine A. Holland-Smith, as personal representatives of the estate of Bert A. Waller, deceased, Grantors, to McG Company, LLC

, Grantee, whose current address is ~~XXXXXXX~~
~~143XX Garden Valley, Idaho, 83622~~ 113 Commerical Street N., Glenns Ferry,
ID 83623

WHEREAS, Grantors are the qualified personal representatives of said estate, filed as Case No. SP-FE-97-00001, in Elmore County, Idaho;

THEREFORE, for valuable consideration received, Grantors quitclaim, transfer, and convey to Grantee the following described real property in Elmore County, Idaho:

Vacated Block 19, plus vacated streets and alleys therein and adjacent thereto, in South Addition to Hammett, Elmore County, Idaho, as the same appears upon the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho.

Vacated Block 20, plus vacated streets and alleys therein and adjacent thereto, in South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho.

Vacated Block 29, plus vacated streets and alleys therein and adjacent thereto, in South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho.

Vacated Block 30, plus vacated streets and alleys therein and adjacent thereto, in South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho.

Vacated Block 31, plus vacated streets and alleys therein and adjacent thereto, in South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho.

Vacated Block 32, plus vacated street, therein and adjacent thereto, in South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho.

Lots 1 and 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23, inclusive, in vacated Block 35, plus the vacated streets and alleys therein and adjacent thereto, in South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho.

Vacated Block 36, plus vacated streets and alleys therein and adjacent thereto, in South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho.

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18, inclusive, of Block 2, of the South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho, TOGETHER with all vacated streets and alleys.

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23, inclusive, Block 3, South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho, TOGETHER with all vacated streets and alleys.

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20, inclusive and Lot 22, 23, 24, 25, 26, 27 and 28, Block 4, South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho. TOGETHER with all vacated streets and alleys.

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 and 28, inclusive of Vacated Block 13, South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho, TOGETHER with all vacated streets and alleys.

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23, inclusive, Block 14, South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho, TOGETHER with all vacated streets and alleys.

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18, inclusive, Block 15, South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho, TOGETHER with all vacated streets and alleys.

Lots 1, 2, 3, 4, 5, 6, 7, 8 and 9, inclusive, Block 16, South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho, TOGETHER with all vacated streets and alleys.

Lots 1, 2, 3, 4, 5, 6, 7, 8 and 9, inclusive, Block 17, South Addition to Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho, TOGETHER with all

vacated streets and alleys.

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18, inclusive, of Vacated Block 18, South Addition of Hammett, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder, Elmore County, Idaho, TOGETHER with all vacated streets and alleys.

TOGETHER with all portions of vacated street adjoining subject property, which upon vacation, attached to said land by operation of law, as disclosed in the Instruments recorded June 12, 1990, as Instrument No. 259297, and Instrument No. 146282, recorded July 26, 1971, records of Elmore County, Idaho. (Affects Blocks 2, 3, 4, 13, 14, 15, 16, 17, 18, 19, 20, 29, 30, 31, 32, 35, 36)

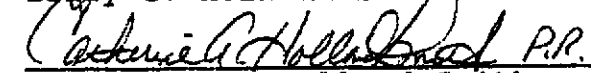
TOGETHER with all portions of vacated alleys, adjoining subject property, which upon vacation attached to said land by operation of law, as disclosed in the Instruments recorded June 12, 1990, as Instrument No. 259297, and Instrument No. 146282, recorded July 26, 1971, records of Elmore County, Idaho, (Affects Blocks 2, 3, 4, 13, 14, 15, 16, 17, 18, 19, 20, 29, 30, 31, 32, 35, 36)

SAVE AND EXCEPT all those portions used for Highway purposes, easements of record, visible easements and subdivision restrictions.

with all appurtenances.

EXECUTED this 2 day of July, 1997.


Billy G. Holland-Smith


Catherine A. Holland-Smith
Petitioners' address and phone number:

272 Squaw Creek
Mountain Home, Idaho 83647
208-796-2144

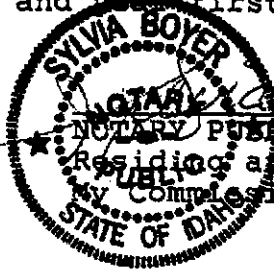
STATE OF IDAHO)

COUNTY OF Elmore)

: ss

On this 2nd day of July, 1997, before me, the undersigned, a notary public in and for said state, personally appeared, Billy G. Holland-Smith and Catherine A. Holland-Smith, known or identified to me to be the persons whose names are subscribed to the within instrument, as Personal Representatives of the Estate of Bert A. Waller, deceased, and acknowledged to me that they executed the same as such Personal Representatives.

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



Residence at: Mountain Home

My Commission Expires: 08/21/2002

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

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) AG 1-7098
Adjudication Claim Number(s) _____
2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
AND
 - B. **PLAT OF PROPERTY or SURVEY MAP** for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Bert A. Waller
Box 65, Hammett, Id. 83627
4. New Owner/Claimant(s) Mc G. Co. LLP
Name connector (Check one): [] AND, [] OR, [] AND/OR
New Mailing Address P.O. Box 727, Colons Ferry, Id. 83623
City, State and ZIP Code _____
New Telephone Number (208) 366-7373
5. Date you acquired the property July 1, 1997
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres actually irrigated _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) [Signature] Date 8/27/97
Date _____
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.