

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

In Re SRBA

) Subcase 27-11931
) (Insert water right number)
)

Case 39576

) STANDARD FORM 4
)
)

) MOTION TO FILE:
)

) ☐ LATE NOTICE OF CLAIM
)

) ☒ AMENDED NOTICE OF CLAIM
_____)

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a **separate form for each** late or amended Notice of Claim.

This form has been adopted by the court in *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

☒ I have read *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996).

My name is Paul E Reid

My address is 875 Reid Road
FIRTH ID 83236

My phone number is: Work 208-522-3502 Home 208-785-1494

I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

MOTION TO FILE A LATE NOTICE OF CLAIM

A *Motion to File a Late Notice of Claim* will require a hearing before the Presiding Judge.

☐ I did not file a Notice of claim to the use of water in the SRBA because:

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

☐ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of your Notice of Claim.)

I have attached:

- ☒ A fully completed Notice of Claim (available from IDWR).
- ☐ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ NA.
- ☐ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ NA.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on April 18, 2006 at 1:30 p.m.
(Insert Date and Time)

at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A *Motion to File an Amended Notice of Claim* may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

- ☒ I must amend my Notice of Claim to the use of water in the SRBA because:

Claim will identify the place of use and point of
diversion at the time I purchased the water
right in 1990.

- ☒ I am providing legal and factual documentation to support my amended Notice of Claim.
You must describe these documents and attach a readable copy.

Warranty Deeds documenting the water to when I
purchased it from Rex Hale. Cancelled check for the purchase.
Affidavit of Stephen J. Blazer Affidavit of John Davidson
Affidavit of Ed Hall

I have attached:

- ☒ An amended Notice of Claim (available from IDWR).

- ☐ Payment of the following additional fees required by IDWR:

NA

CERTIFICATE OF MAILING

I certify that on January 5, ²⁰⁰⁶~~199~~, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

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

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

(Insert Names/address of parties)

Paul E. Reid
Signature of person or attorney mailing the form

VERIFICATION (Must be completed)

State of IDAHO

County of Bingham

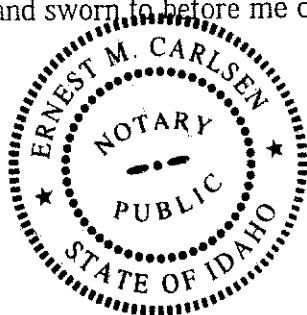
Paul E Reid, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

Paul E Reid
Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on January 4, 2006
(Insert Date)



Ernest M Carlsen
Notary Public for WWR
Residing at: Blanco Falls, ID
My Commission expires: 8-21-2009

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

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 27-11931
Date Received: 6/17/2003
Receipt No:
Received By:

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

1. Name of Claimant(s)

PAUL REID Phone: (208)785-1494
875 REID RD
FIRTH ID USA 83236

2. Date of Priority: 06/01/1885

3. Source: BLACKFOOT RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02S	37E	17	NE NW SW 3	BINGHAM	

5. Description of diverting works:

Heading for Eastern Idaho Canal.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.8	

7. Total Quantity Appropriated is:
0.8 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02S	36E	31	NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	32
				1		
					Section Acres	72
					Total Acres	72

11. Place of use in counties: BINGHAM

12. Do you own the property listed above as place of use? ~~Yes~~ No. *PER*

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM IS BASED ON A PORTION OF ORIGINAL DECREED RIGHT OTHER THAN 27-00004Z. DECREED UNDER STEVENS VS EASTERN IDAHO WATER CO., 8/01/1891.

15. Basis of Claim: Decreed

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

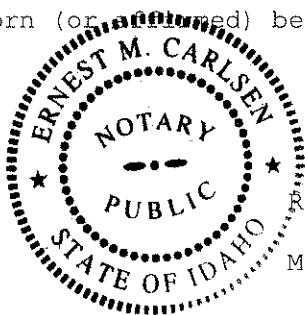
For Individuals:

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

Signature of Claimant(s): Paul E Reid Date: 1/4/06

State of Idaho)
) SS.
County of Bonneville)

Subscribed and sworn (or affirmed) before me this 04 of January 2006



Ernest M Carlsen

Notary Public

Residing at Idaho Falls, ID

My commission Expires August 21, 2009

RECEIVED

JAN 09 2006

DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA

Case No. 39576

A: Subcase 27-11931
(insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B: NAME AND ADDRESS OF PERSON OBJECTING

Name: Paul Reid
Address: 875 Reid Road
FIRTH ID 83236
Daytime Phone: 208-785-1494

Name & Address of Attorney, if any:

C: CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Paul Reid
Address: 875 Reid Rd
FIRTH ID 83236

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ Name and Address
Should be: _____
2. ☐ Source
Should be: _____
3. ☐ Quantity
Should be: _____
4. ☐ Priority Date
Should be: _____
5. ☒ Point(s) of Diversion
Should be: NW SW Sec 17 25-37E
6. ☐ Instream Flow Description
Should be: _____
7. ☐ Purpose(s) of Use
Should be: _____
8. ☐ Period of Year
Should be: _____
9. ☒ Place of Use
Should be: Lot #1 NE NW Sec 31 25-R36E

11. I object because:

- ☐ This water right should not exist.
- ☒ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): This is The location
of The water Right prior To me
Purchasing it in 1990

F.

VERIFICATION (Must be Completed)

State of IDAHO)
)ss.

County of Bingham)

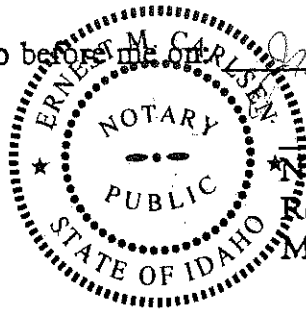
Paul E Reid, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Paul E Reid
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on January 4, 2006



Ernest M Carlson
Notary Public for DMR
Residing at: Idaho Falls ID
My Commission Expires: 8-21-2009

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G.

CERTIFICATE OF MAILING

I certify that on January 5, ²⁰⁰⁶~~199~~, I mailed the original and copies of this objection, including all attachments to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: _____
Address: _____

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

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

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Paul E. Reid
Signature of Objector or attorney
mailing on Objector's behalf

WARRANTY DEED

No. 2684

Book No. 41

CANTON PRINTERS, CALDWELL 20257

THIS INDENTURE, Made the 23rd day of February in the year of our Lord one thousand nine hundred and twenty-one, between
Chris Peterson and Jane H. Peterson, his wife
of the County of Bingham - and State of Idaho, the parties of the first part, and
W. H. Cherry

of the County of Bingham and State of Idaho, the party of the second part,
WITNESSETH, That the said parties of the first part, for and in consideration of the sum of
EIGHT HUNDRED (\$800.00) - - - - - DOLLARS,
lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt
whereof is hereby acknowledged

do- by these presents grant, sell, bargain and convey and confirm unto the said party of the second part, and to his
heirs and assigns forever, all the - certain lot, piece or parcel of real estate
of and situate, lying and being in the
County of Bingham and State of Idaho, and bounded and described as follows, to-wit:

Forty (40) inches of the waters of the Blackfoot River; being a part
of the 1500 inches of the waters of the Blackfoot River as decreed to P. S. Fox, Jr.,
William Howard, A. Whitten, Susan E. Whitten and Calvin Miles as of date of June
1st, A.D. 1885; said decree being recorded in Judgment Book "I" at pages 107 to
116 of the records of Bingham County, Idaho, and said water right hereby conveyed
being a portion of the eighty-seven and one-half (87½) inches of the above des-
cribed waters heretofore conveyed to said Chris Peterson, by warranty deed dated
July 8, 1919, made and executed by A. Whitten and Susan E. Whitten, his wife, and
recorded October 19, 1920, in Book 41 of deeds at page 174 of the said records of
Bingham County, Idaho.

Said water right herein conveyed to be and become appurtenant to
Lot numbered one (1) and the Northeast quarter of the Northwest quarter of Section
Thirty-one (31) in Township Two (2) South of Range Thirty-six (36) East of the
Boise Meridian, containing 72.08 acres.

\$1.00 I. R. S. attached and cancelled.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise apper-
taining, and the rents, issues and profits thereof

TO HAVE AND TO HOLD, All and singular, the said premises, together with the appurtenances and privileges thereto
incident, unto the said party of the second part, and to his heirs and assigns forever, and the said parties of the first part, and their
heirs, and the said premises in a quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said parties of the first part and their heirs, and against all
and every person and persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents
forever defend.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals, the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

Ralph W. Adair

Chris Peterson

[SEAL]

Jane H. Peterson

[SEAL]

[SEAL]

-(SEAL)-

STATE OF IDAHO,

COUNTY OF Bingham

ss.

I DO HEREBY CERTIFY, That on this 23rd day of February in the year of 1921, before me,
Ralph W. Adair, a Notary Public in and for said County and State, personally appeared

Chris Peterson and Jane H. Peterson, his wife
known to me to be the persons whose names are subscribed to the within and foregoing instrument, and acknowledged
to me that they executed the same.

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

(SEAL) Seal
My commission expires
Ralph W. Adair Notary Public.
Residing at Blackfoot, Idaho

WARRANTY DEED

203215

For Value Received ROSELLA C. HALE, widow,

of Blackfoot, Bingham County, Idaho

the grantor , does hereby grant, bargain, sell and convey unto REX A. HALE and ELEDA O.

HALE, Husband and Wife, of Blackfoot, Bingham County, Idaho *Rt 3 Box 246*

the grantees , the following described premises to-wit:

The Lot One of Section Thirty-one in Township Two South of Range Thirty-six, East of the Boise Meridian, in Bingham County, Idaho. Together with an undivided 1/2 interest in and to all ditches and water rights appurtenant thereto, and particularly 40 inches of the waters of Blackfoot River, being a part of 1500 inches decreed to P. S. Fox, Jr., William Howard, A. Whitten, et al., with date of priority June 1, 1885, as shown by deed recorded in Book 41 of deeds, page 470, Bingham County, Idaho; and 1 1/2 shares Eastern Idaho Water Company, and 102 shares of stock in the Loyd Canal Company.

EXCEPT a tract in said Lot One described as :
Commencing at the Northwest corner of Lot One in Section 31, Township 2 South of Range 36, E.B.M., Bingham County, Idaho, thence east along the northerly line of said Lot 165 feet, thence south at right angles 565 feet, more or less, to the center of a ditch running east and west, thence west 165 feet along the center of said ditch to the west line of said Lot 1, thence north along the west line of said Lot 1 565 feet, more or less, to the point of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees , their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees , that she is the owner in fee simple of said premises; that said premises are free from all incumbrances

and that she will warrant and defend the same from all lawful claims whatsoever.

Dated: July 28, 1975

Mrs Rosella C. Hale

STATE OF IDAHO, COUNTY OF BINGHAM
On this 28th day of July, 1975,
before me, a notary public in and for said State, personally
appeared ROSELLA C. HALE, a widow

RECORDING DATA:

203215

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that she executed the same.

Residing at Blackfoot
Comm. Expires February 29th, 1976

Notary Public

IN AID OF THE
RECORDING DATA

75 Jul 30 1975
7:00 PM
RECORDED AT 7:00 PM

BINGHAM TITLE & TRUST CO.

11.3

STATE OF IDAHO,
County of Bingham.

ss.

AFFIDAVIT OF HEIRSHIP

203211

Rosella C. Hale, being first duly sworn upon oath, deposes and says:

1. That Joseph A. Hale died intestate at Blackfoot, Bingham County, Idaho, on the 20th day of October, 1962, and at said date and for many years prior thereto, he had been a resident of Blackfoot, Bingham County, Idaho.

2. That said Joseph A. Hale and affiant, Rosella C. Hale, were married November 28th, 1917, at Logan, Cache County, Utah, and were from said date continuously husband and wife, until the death of the said Joseph A. Hale, and that during coverture they acquired the following described property in the County of Bingham, State of Idaho, with community funds and as community property, to-wit:

The Lot One and the Northeast Quarter of the Northwest Quarter of Section Thirty-one in Township Two South of Range Thirty-six, East of the Boise Meridian, in Bingham County, Idaho. Together with all ditches and water rights appurtenant thereto, and particularly 40 inches of the waters of Blackfoot River, being a part of 1500 inches decreed to P. S. Fox, Jr., William Howard, A Whitten, et al., with date of priority June 1, 1885, as shown by deed recorded in Book 41 of deeds, page 470, Bingham County, Idaho; and 1 1/2 shares Eastern Idaho Water Company, and 102 shares of stock in the Loyd Canal Company.

EXCEPT a tract in said Lot One described as: Commencing at the Northwest corner of Lot One in Section 31, Township 2 South of Range 36, E.B.M., Bingham County, Idaho, thence east along the northerly line of said Lot 165 feet, thence south at right angles 565 feet, more or less, to the center of a ditch running east and west, thence west 165 feet along the center of said ditch to the west line of said Lot 1, thence north along the west line of said Lot 1 565 feet, more or less, to the point of beginning.

3. That upon the death of said Joseph A. Hale, affiant became vested with the title thereto by reason of the laws of the State of Idaho relative to the devolution of community property upon the death of the husband intestate.

4. That all funeral expenses, the expenses of last illness and all debts have been fully paid.

5. That affiant, Rosella C. Hale, has been in open and unmolested possession of the above described property since she and said Joseph A. Hale acquired same by Warranty Deed dated July 10th, 1943; that she has resided on said property and used all available land for farming purposes, and that during said time she has paid all taxes lawfully levied and assessed upon said real estate.

Mrs. Rosella C. Hale

Subscribed and sworn to before me this 28th day of July 1975, at Blackfoot, Bingham County, Idaho.

(NOTARY SEAL)



My Commission Expires:
February 29th, 1976.

Earl W. Cory
Notary Public for the State of Idaho
Residing at Blackfoot, Idaho

203214

BINGHAM TITLE & TRUST CO

368025

WARRANTY DEED

For Value Received REX A. HALE and ELEDA O. HALE, husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto ADRIAN J. YOUNG and MARGOT B. YOUNG, husband and wife, whose current address is Route 6, Box 433, Blackfoot, Idaho 83221

the grantees, the following described premises, in Bingham County Idaho, to wit:

Part of Section 31, Township 2 South, Range 36 East of the Boise Meridian, Bingham County, Idaho, described as:

Beginning at a point that is N. 89°38'49" E. 2296.32 feet along the section line and S. 00°39'06" E. 210.00 feet from the N.W. corner of said Section 31; and running thence along a fence line S. 00°39'06" E. 1142.10 feet; thence N. 89°34'57" W. 2304.45 feet; thence N. 00°18'14" W. 1021.10 feet; thence leaving said fence line N. 89°38'49" E. 455.0 feet; thence N. 00°21'11" W. 90.0 feet; thence N. 89°38'49" E. 1842.42 feet to the point of beginning, EXCEPTING that portion lying within Lot 2 and the SE¼NW¼ of said Section 31.

Together with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, including all water and water rights. *1/2 share of Eastern Idaho Water Co.* Subject to reservations in United States patents and State deeds or other restrictions imposed by law, easements and rights-of-way, zoning and building ordinances, use restrictions of record, and taxes and assessments for the year 1982 and thereafter.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: January 8, 1982

Res. G. Hale

REX A. HALE

Eleda O. Hale

ELEDA O. HALE

STATE OF IDAHO, COUNTY OF Bingham

On this 8th day of January, 1982, before me, a notary public in and for said State, personally appeared REX A. HALE and ELEDA O. HALE, husband and wife

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

368025

CLERK OF COUNTY CLERK
BINGHAM COUNTY, IDAHO
JAN 30 1982

1988 JAN 22 PM 3:47

RECORDED AT THE REQUEST OF
FIRST AMERICAN TITLE COMPANY

STATE OF IDAHO)
) ss.
County of Bingham)

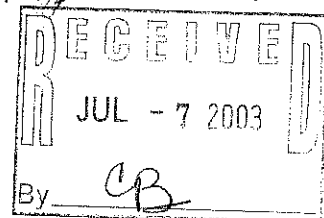
1. I make this affidavit based upon my own personal knowledge.
2. That I was the attorney for Rex and Eleda Hale. That in the 1980s and 1990s Hale was selling the property that he owned.

4. That there were also water rights that Mr. Hale was selling.

6. That at that time, we had researched the matter and determined that Mr. Hale owned the water and had the ability to sell that water and that he had ownership of it through a grant from his mother.

8. That the water was 40 inches of the Blackfoot River through a portion of right number 27.0004, being initially decreed to P. S. Fox, Jr., William Howard, A. Whitten, et al. This water had a priority date of June 1, 1885.

9. That in January, 1991, Mr. Hall was going to make the necessary transfer from Rex Hale to Paul Reid. At that time Mr. Hall was going to sign an Affidavit confirming that he had delivered that water to the Rex Hale property for over the past



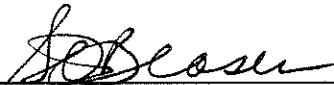
25 years.

10. That after that time, it was assumed that this water was transferred. Mr. Reid had actually purchased the water in September, 1990 by check number 294 from First Federal Savings Bank.

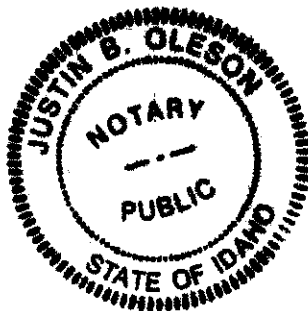
11. That it was my understanding from the time the water was purchased that Mr. Reid has used the water and Ed Hall, as Water Master, delivered that water to Mr. Reid's property on Reid Road in Firth, Idaho.

12. Further the affiant saith not.

DATED AND SIGNED this 23 day of June, 2003.


STEPHEN J. BLASER

SUBSCRIBED AND SWORN to before me this 23 day of June, 2003.




Notary Public for State of Idaho
Residing at Blackfoot, Idaho

My cmn exprs: 2/09

FARM ACCOUNT
PAUL E. OR BILLIE A. REID
 SSN 519-60-2534 SSN 519-66-7655
 875 REID RD.
 FIRTH, ID 83236

294
 92-7010/3241

PAY TO THE ORDER OF Rex Hale Sept 12 19 90 \$ 4000.00
Four thousand dollars no/100 DOLLARS

FIRST FEDERAL SAVINGS
 715 WEST JUDICIAL • BLACKFOOT, IDAHO 83221

MEMO 40 inches Blackfoot water Paul E Reid

⑆324170108⑆ 003 8 007088⑈ 0294 ⑈0000400000⑈

ENDORSE HERE
Rex C. Hale

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE
 RESERVED FOR FINANCIAL INSTITUTION USE *

WESTON Bank, Inc. N.A.
 OF AMERICAN BANK
 #10
 #10

SEP 11 20

12410042
 06 1240-00379
 0000000000
 SF 90 12

* FEDERAL RESERVE BOARD OF GOVERNORS REG. CC

6/17/03 - This COPY OF THE PAYMENT CHECK BARES
 WITNESS TO A TRANSACTION BETWEEN PAUL
 REID (BUYER) AND REX HALE (SELLER).

AFFIDAVIT OF JOHN DAVIDSON

STATE OF IDAHO)
) ss.
County of Bingham)

JOHN DAVIDSON, being first duly sworn on oath deposes and says:

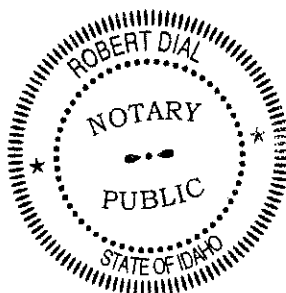
1. I make this affidavit based upon my own personal knowledge.
2. That I have been the Water Master since 1996.
3. That since the time I have been the Water Master, I have delivered over 40 inches of water to Paul Reid.
4. That during that time, it was my understanding that Paul Reid owned a right to an additional 40 inches of Blackfoot River water that came from Rex Hale.
5. That as Water Master I delivered that water to Paul Reid and assessments were sent to Paul Reid based upon that additional 40 inches of water. Those assessments Paul Reid paid for each year.
6. Further the affiant saith not.

DATED AND SIGNED this 2nd day of July, 2003.

John H. Davidson
JOHN DAVIDSON

SUBSCRIBED AND SWORN to before me this 2 day of July, 2003.

Robert Dial
Notary Public for State of Idaho
Residing at Blackfoot, Idaho
Firm



My com expires: 1-7-2009

AFFIDAVIT OF ED HALL

STATE OF IDAHO)
) ss.
County of Bingham)

ED HALL, being first duly sworn on oath deposes and says:

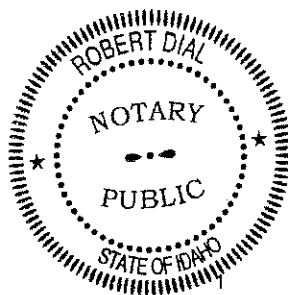
1. I make this affidavit based upon my own personal knowledge.
2. That I was the Water Master for the Blackfoot River water for 20 years.
3. That in 1990 Paul Reid purchased 40 inches of Blackfoot River water from Rex Hale.
4. That after that purchase, and since 1990 until I retired, I delivered, as Water Master, an additional 40 inches of Blackfoot River water to Paul Reid on Mr. Reid's property on Reid Road. He was assessed and paid for that water.
5. That as far as I am aware, that water had been delivered for 20 plus years to Rex Hales property, but that it was sold outside of any property transfer. That when Rex Hale's property was sold to another party, the water was not sold with it.
6. Further the affiant saith not.

DATED AND SIGNED this 2 day of ^{July}~~June~~, 2003.

Ed Hall
ED HALL

SUBSCRIBED AND SWORN to before me this 2 day of ^{July}~~June~~, 2003.

Robert Dial
Notary Public for State of Idaho
Residing at ~~Blackfoot~~ Finley, Idaho



My cmn exprs: 1-7-2009