

d.c. 4P
2/22/05

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

In Re SRBA

NCAF

NOTICE of CLAIM for Water
Right number:

Case No. 39576

7415479 (IDWR number)

NAME and
ADDRESS

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

BLMIDENT:

Stg: StFed:

7404682098

J

S

Other Right and date:

SOURCE:

Source

Tributary

SPRING

SINKS

QUANTITY:

0.02

CFS

or VOLUME:

Acre Feet

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

PRIORITY DATE:

08/20/1930

Diversion Means:

UDEVELOPED SPRING

REMARKS:

POINT of
DIVERSION:

Twtnship	Range	Section	T1	T2	T3	LOT	B/E	within the	County of
19N	25E	9	NE	NW	SW			59	LEMHI

PURPOSE
and
PERIOD
OF USE:

Purpose of Use	Period of Use (from - to):	Rate in CFS	or	Volume in AcFt
04	0101	1231	0.02	

CONSUMPTIVE
USE:

de minimis stockwater

DATE:

01-Sep-04

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

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

PLACE
of USE:

Water Use	Twtn	Rge	Sec	T1	T2	LOT	within the	County of
04	19N	25E	9	NW	SW		59	LEMHI

RECEIVED

TOWNSHIP 19 NORTH RANGE 26 EAST OF THE BOISE MERIDIAN, IDAHO

LEMHI COUNTY 059
SALMON DISTRICT SEC 3

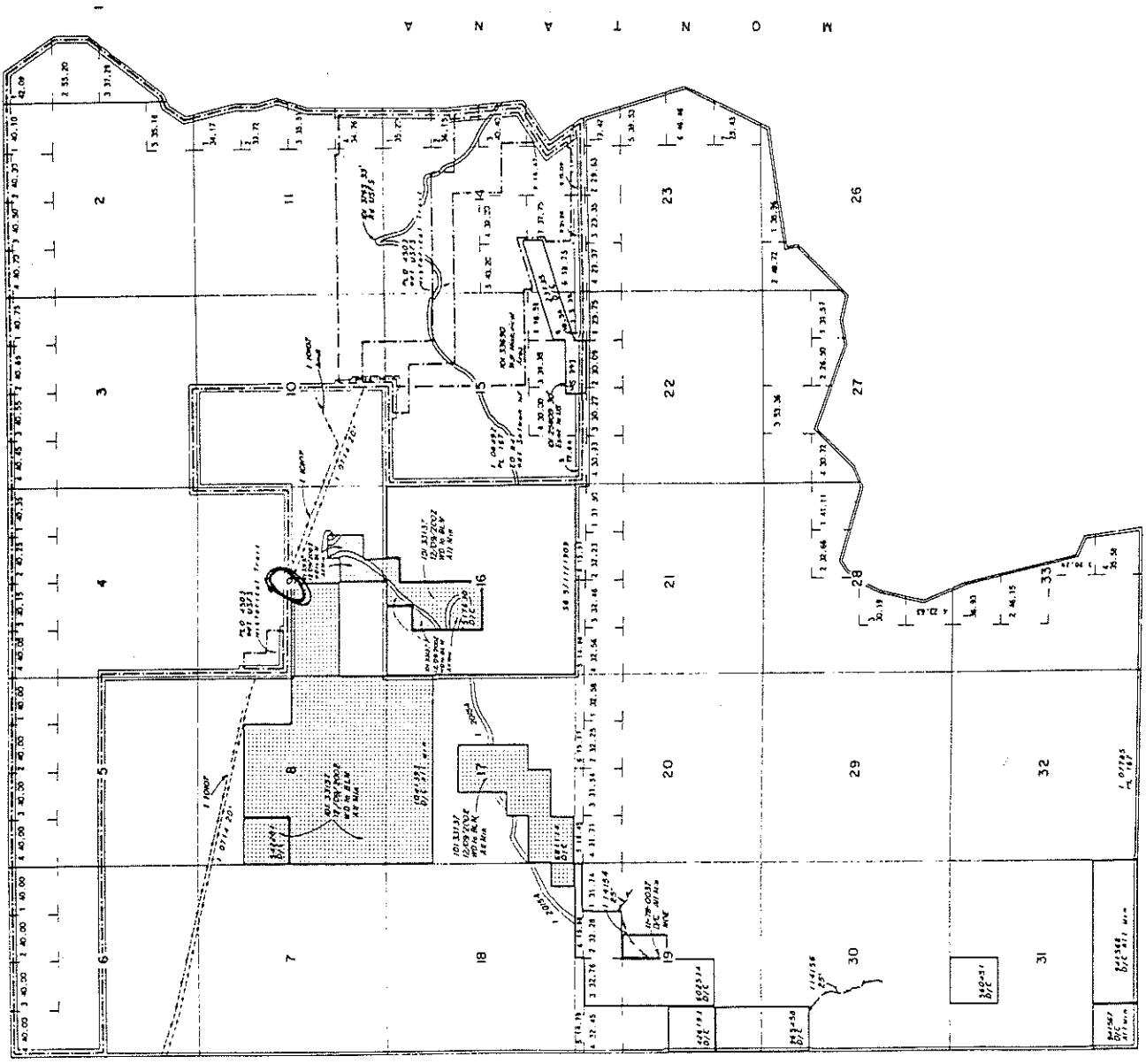
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

MT PLAT

INDEX TO SEGREGATED TRACTS		
TRACT NO.	T	R
1	2	3
2	3	4
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1. 00492 Det PL 167 1st of Cong 7/22/1933
Completed 8/31/1930. All of surface right by USFS

1. 07853 Det PL 167 1st of Cong 7/22/1933
Completed 12/22/1930. All of surface right by USFS



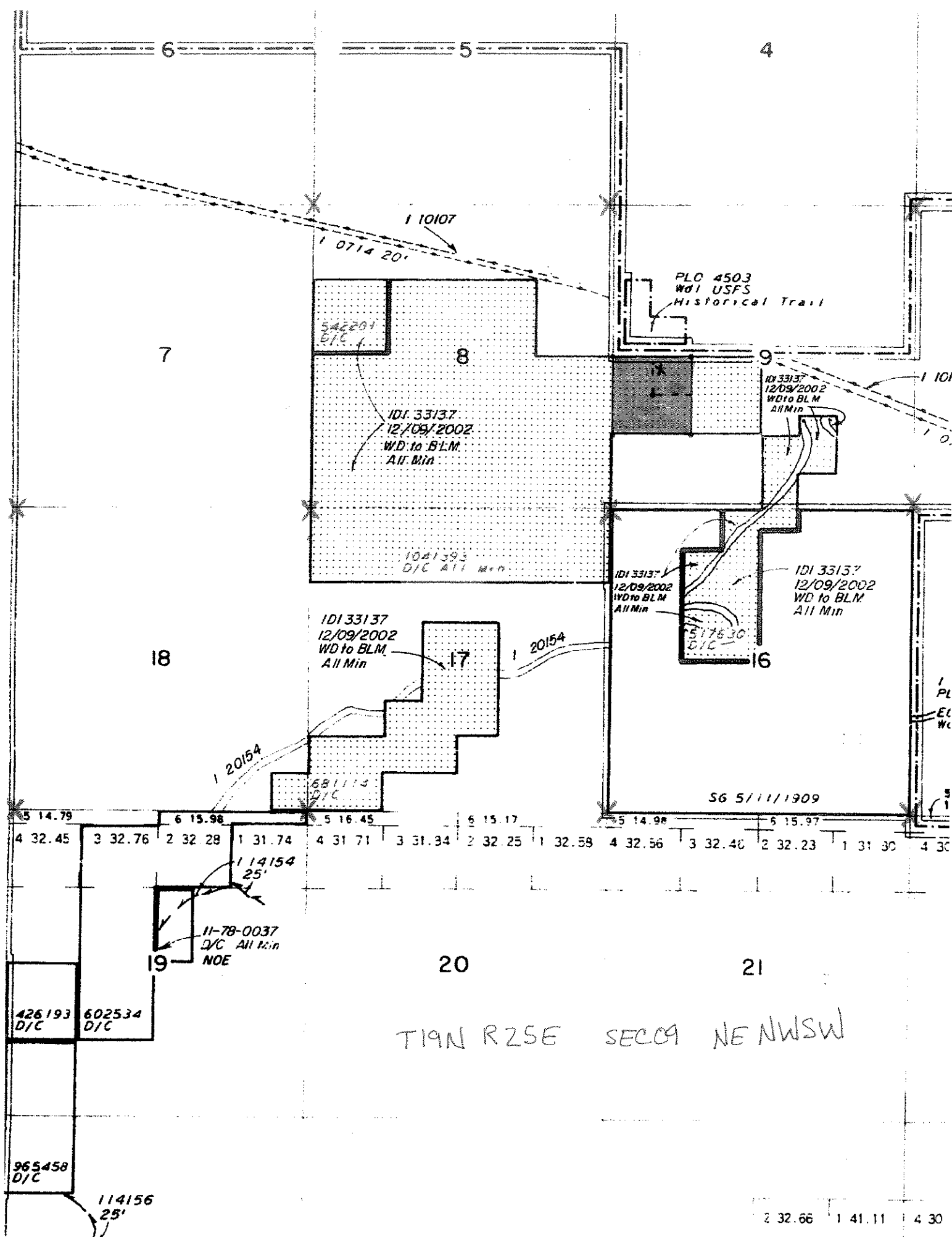
THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST
ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE
THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITH-
DRAWAL ORDER

SCALE in Chains
0 10 20 30 40

WARNING: This map is a reproduction of a historical map and should not be used for legal purposes. It is not a survey and should not be used for any purpose requiring a survey.

CURRENT TO	CURRENT TO
NO.	NO.
USE PLATS	USE PLATS

Done this
T. 19N
R. 25E



542201
D/C

IDI 33137
12/09/2002
WD to BLM
All Min

1041393
D/C All Min

IDI 33137
12/09/2002
WD to BLM
All Min

517630
D/C

IDI 33137
12/09/2002
WD to BLM
All Min

565458
D/C

114154
25'

11-78-0037
D/C All Min
NOE

114156
25'

20154

5	14.79	6	15.98	5	16.45	6	15.17	5	14.98	6	15.97	5	14.98	6	15.97										
4	32.45	3	32.76	2	32.28	1	31.74	4	31.71	3	31.34	2	32.25	1	32.58	4	32.56	3	32.40	2	32.23	1	31.30	4	30

426193
D/C

602534
D/C

965458
D/C

114156
25'

20154

T19N R25E SEC09 NE NWSW

2	32.66	1	41.11	4	30
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T19N R25E SEC09 NE NWSW

Spring
GPS U091616B
8/07/03
IDWR 74- 15479
BLM # 7404682098
Photo AB58 7-8

The United States of America,

On all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Register of the Land Office at Blackfoot, Idaho,

has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862,

"To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of Fletcher A. Wheaton

has been established and duly consummated, in conformity to law, for the southwest quarter of the northeast quarter, the southeast quarter of the northwest quarter and the south half of Section eight, the north half of the southwest quarter of Section nine and the north half of the north half of Section seventeen in Township nineteen north of Range twenty-five east of the Boise Meridian, Idaho, containing six hundred forty acres,

according to the Official Plat of the Survey of the said Land, on file in the GENERAL LAND OFFICE:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant the tract of Land above described TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States. Excepting and reserving, however, to the United States all the coal and other minerals in the lands so entered and patented, together with the right to prospect for, mine, and remove the same pursuant to the provisions and limitations of the Act of December 29, 1918 (39 Stat., 862).

IN TESTIMONY WHEREOF, I, Herbert Hoover,

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

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

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

(SEAL)

day of OCTOBER in the year of our Lord one thousand

nine hundred and THIRTY and of the Independence of the

United States the one hundred and FIFTY-FIFTH

By the President:

By

Herbert Hoover
Viola B. Ough, Secretary.
John O. Connell
Acting Recorder of the General Land Office.

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

IDI-33137

WARRANTY DEED

For the true and actual consideration of \$ 1,000,000.00,

THE JOHN SELLS FAMILY TRUST, JOHN E. SELLS, TRUSTEE

hereinafter called Grantor, whether one or more, does hereby grant, bargain, sell, and convey to the UNITED STATES OF AMERICA and its assigns, as authorized by Section 205 of the Federal Land Policy and Management Act of 1976 as amended (90 Stat. 2755; 43 U.S.C. 1715), the following described real property situated in the County of Lemhi, State of Idaho, to wit:

That portion of property located in Township 19 North, Range 25 East, Boise Meridian, Lemhi County, Idaho, described as follows:

- Section 8: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$
- Section 9: N $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$
- Section 16: N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$
- Section 17: SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ N $\frac{1}{2}$
- Section 18: SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$

Excepting Therefrom a strip of land 66 feet in width traversing the following property:

The S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, the N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9; the N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, and the NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, the S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, and the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 16, all in Township 19 North, Range 25 East of the Boise Meridian.

The said strip being 33 feet in width on each side of a centerline as located and to be constructed on the ground, with as much additional width as required for adequate protection of cuts and fills, the said centerline being more particularly described as follows:

IDI-33137

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Acknowledgment on Page 4

State of Idaho) SS No. 253058
County of Lemhi)
This instrument was filed for record at the request
of Alliance Title
at 4:25 clock p.m. 1-6-2003
and duly filed and indexed in the records of Lemhi
County Terri J. Morton
Ex-Officio Recorder
By [Signature] Deputy
Fee 1200
Return to AT

253058

Parcel 1 – Beginning at a point on the East boundary of the $S\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}SE\frac{1}{4}$ of said Section 9, said point bears North $43^{\circ}05'42''$ West, 1924.95 feet from the Southeast corner of Section 9; said point is a point on a curve to the right having a radius of 350.00 feet; the chord of said curve bears North $22^{\circ}13'39''$ West, thence 215.69 feet along the arc of said curve; thence North $04^{\circ}35'00''$ West, 53.70 feet to a point on the North boundary of said $S\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}SE\frac{1}{4}$ of said Section 9, said point bears North $40^{\circ}12'40''$ West, 2168.08 feet from the Southeast corner of said Section 9.

Parcel 2 – Beginning at a point on the North boundary of the $S\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}SE\frac{1}{4}$ of said Section 9, said point bears North $49^{\circ}03'23''$ West, 2529.75 feet from the Southeast corner of said Section 9, said point is a point on a curve to the left having a radius of 250.0 feet, the chord of said curve bears South $13^{\circ}33'13''$ East, thence 121.53 feet along the arc of said curve; thence along the following general courses and distances:

Bearing	Tangent Distance In Feet	Curve L-R	Central Angle	Radius In Feet	Arc Distance In Feet
S27°28'00"E	18.12	R	34°7'00"	450	267.98
S06°39'00"W	109.81	R	28°13'30"	800	394.07
S34°52'30"W	309.86	R	18°40'30"	2,200	691.10

Ending at a point on the West boundary of the $SW\frac{1}{4}SW\frac{1}{4}SE\frac{1}{4}$ of Section 9, said point bears North $89^{\circ}06'46''$ West 2632.12 feet from the Southeast corner of said Section 9.

Parcel 3 – Beginning at a point on the North boundary of the $NE\frac{1}{4}NE\frac{1}{4}NW\frac{1}{4}$ of Section 16, Township 19 North, Range 25 East of the Boise Meridian, said point bears North $89^{\circ}46'$ West, 2672.28 feet from the Northeast corner of said Section 16; thence along the following courses and distances:

Bearing	Tangent Distance In Feet	Curve L-R	Central Angle	Radius In Feet	Arc Distance In Feet
S53°33'00"W	175.37	L	14°33'30"	1600	406.59
S38°59'30"W	292.11				

Ending at a point on the West boundary of the $NE\frac{1}{4}NE\frac{1}{4}NW\frac{1}{4}$ of said Section 16, said point bears South $79^{\circ}39'13''$ West, 3344.49 feet from the Northeast corner of said Section 16.

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Acknowledgment on Page 4

253058

Parcel 4 – Beginning at a point on the North boundary of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 16, Township 19 North, Range 25 East of the Boise Meridian, said point bears South 79°08'17" West, 3389.41 feet from the Northeast corner of said Section 16; thence along the following general courses and distances:

Bearing	Tangent Distance	Curve L-R	Central Angle	Arc	
	In Feet			Radius Distance In Feet	In Feet
N38°59'30"W	621.88	R	12°49'30"	400	89.51
S51°48'30"W	211.69				

Ending a point on the West boundary of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 16, said point bears South 71°28'14" West, 4164.34 feet from the Northeast corner of said Section 16.

Parcel 5 – Beginning at a point on the West boundary of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 16, Township 19 North, Range 25 East of the Boise Meridian, said point bears South 68°07'56" West, 4254.76 feet from the Northeast corner of said Section 16; said point is a point on a curve to the left having a radius of 140.0 feet, the chord of said curve bears South 80°05'59" East; thence along the arc of said curve 69.00 feet; thence along the following courses and distances:

Bearing	Tangent Distance	Curve L-R	Central Angle	Arc	
	In Feet			Radius Distance In Feet	In Feet
N85°48'30"E	210.78	R	28°34'30"	400	199.48
S65°37'00"E	245.19	R	101°56'00"	300	533.62
S36°18'00"W	2.28	R	91°55'30"	300	481.32
N51°46'30"W	473.34	R	10°41'30"	400	15.84

Ending at a point on the West boundary of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 16, said point bears South 64°00'48" West, 4392.97 feet from the Northeast corner of said Section 16.

The boundary lines of said right-of-way shall be prolonged or shortened to begin on and end on and conform to the property lines.

If the road is located substantially as described herein, the centerline of the road as constructed is hereby deemed accepted by the grantors as the true centerline of the easement granted.

The parcel of land to which the above descriptions applies contains 930 acres, more or less.

The acquiring agency is the United States Department of the Interior, Bureau of Land Management.

DI-33137

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Acknowledgment on Page 4

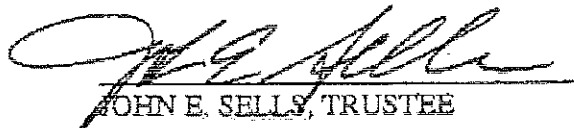
253058

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

Grantor covenants and warrants that he is lawfully seized and possessed of the real property aforesaid and has the full right, power and authority to execute this conveyance, and that said real property is free and clear of liens, claims or encumbrances, except as shown of record, and that he will defend the title to the real property conveyed herein and quiet enjoyment thereof against the lawful claims and demands of all persons.

Dated this 9 day of DEC, 2002

THE JOHN SELLS FAMILY TRUST


JOHN E. SELLS, TRUSTEE

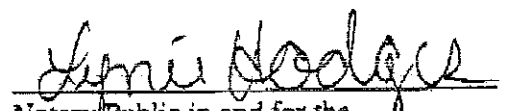
TRUSTEE ACKNOWLEDGMENT

STATE OF)
) ss:
COUNTY OF)

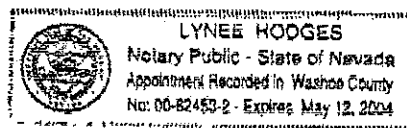
On this 9th day of December, 2002, personally came before me, a notary public in and for said County and State, appeared JOHN E. SELLS, TRUSTEE known or identified to me to be the Trustee of The John Sells Family Trust, to me personally known to be the identical person described in and who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed, for the uses and purposed therein mentioned.

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

Seal


Notary Public in and for the
State of Nevada
Residing Washoe County
My commission expires: May 12, 2004

IDI-33137
Page 4 of 4



WATER RIGHT CLAIM VERIFICATION

STATE OF IDAHO)
COUNTY OF ADA) ss:

CLAIMANT VERIFICATION:Water Right Number: 74-15479

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

For Organizations:

I do solemnly swear or affirm that I am Gary A. Madenford, Water Rights Team Leader
of United States of America, acting through U.S.D.I., BLM, that I have signed the
foregoing documents in the space below as Water Right Team Leader of
United States of America, acting through U.S.D.I., BLM and that the statements
contained in the foregoing documents are true and correct.

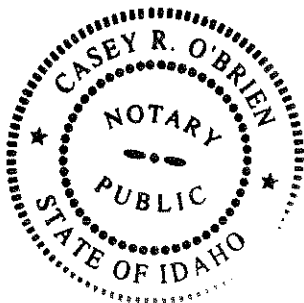
Signature of Authorized Agent Larry A. Mendenford
for the United States of America, acting through U.S.D.I., BLM

NOTARY:

Subscribed and sworn to before me on this 2nd day of September, 2004.


Casey R. O'Brien

Seal



Notary Public in and for: State of Idaho
Residing at: Nampa, Idaho
My Commission Expires: October 31, 2009