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Arthur W. Holden
(1877-1967)
Robert B. Holden
(1911-1971)
Terry L. Crapo
(1939-1982)
William S. Holden
(1907-1988)

Of Counsel
Fred J. Hahn

**Also Licensed in Missouri & Kansas

RECEIVED
JUL 17 2006

July 13, 2006

Roxanne Brown
Idaho Department of Water Resources
PO Box 83720
Boise, ID 83720-0098

RE: Notices of Change of Water Right Ownerships for Property and Water Rights
formerly held by Big Creek Ranch, LLC

Dear Roxanne:

I have finally obtained copies of some more deeds. I am not sure how helpful they will be to you, but perhaps now I have a better picture of how we got from Big Creek Ranch, LLC owning a total of some 1,065 acres with all the appurtenant claimed water rights to the present ownerships as follows:

1. Northwest Fidelity Trust - 360 Acres
2. Robert P. Dreyer - 225 Acres (approximately)
3. Sullivans & Halls - 320 Acres
4. Laatz - 160 Acres

I think the last time we talked, I had realized I was about three deeds short of having the complete picture. Actually, because portions of the land are located in both Custer and Lemhi Counties, I was not necessarily missing the deed in each instance, but sometimes only evidence that the deed had been recorded in both counties.

I am enclosing copies of three more deeds for your records. You should by now have a complete set. Title to the approximately 1,065 acres once owned by Big Creek Ranch, LLC, has gone through the following conveyances (to my knowledge, based on what I have been able to obtain from the deed record) to get to the current ownerships mentioned above:

1. In 1997, Big Creek Ranch, LLC appears to have still held title to the entire approximately 1,065 acres including all appurtenant water rights. In December of that year, undivided 25% interests were conveyed to Jerry & Susan Flynt, Northwest Fidelity Trust, Thomas Forbes and Robert P. Dreyer, by Warranty Deed recorded as Instrument No. 214833 in the records of Custer County, and Instrument No. 235372 of the records of Lemhi County.
2. In January of 1998, the Flynts conveyed their undivided 25% to Robert P. Dreyer by Warranty Deed recorded as Instrument No. 215017 in the records of Custer County, and as Instrument No. 235629 in the records of Lemhi County.
3. The same month, Robert Dreyer conveyed one-third (1/3 or 8 1/3%) of the former Flynt 25%, each, to Northwest Fidelity Trust (hereafter NFT), Thomas Forbes and Robert Dreyer, so each of those three then owned an undivided 1/3 interest in the whole 1,065 (approximately) acres. This Warranty Deed was recorded as Instrument No. 215069 in the records of Custer County and as Instrument No. 235664 in the records of Lemhi County.
4. Then, in January of 1999, the three owners, Dreyer, NFT and Forbes, conveyed a specific 160 acres in Sections 20 and 21 to Forbes. The Warranty Deed was recorded in Custer County as Instrument No. 217372 and in Lemhi County as Instrument No. 239438. The same date, the same three owners conveyed by Deed an undivided 50% interest each to Dreyer and NFT in the remaining approximately 905 acres. This Deed was recorded in Custer County as Instrument No. 217373 and in Lemhi County as Instrument No. 239439.
5. In July of 2000, apparently to clarify which water rights were to go with the 905 (approximately) acres, a Correction Deed was recorded, perhaps only in Custer County, as Instrument No. 221295.
6. In September of 2003, Dreyer and NFT split the 905 acres by deeding some 360 to NFT and about 545 to Dreyer. At about the same time, Dreyer deeded the 320 of this 545 to Sullivans and Halls. The deeds from Dreyer and NFT to NFT and from Dreyer and NFT to Dreyer were recorded in Custer County as Instrument Nos. 227796 and 227797 and in Lemhi County as Instrument Nos. 255992 and 255993. The Deed from Dreyer to Sullivans and Halls was recorded in Custer County as Instrument No. 227798 and in Lemhi County as Instrument No. 255994.
7. Now, to come back to the 160 acres deeded by Forbes in 1999 (see number 4 above), Forbes deeded it to Roberts in August of 1999 (Custer County Instrument No. 219558 and Lemhi County Instrument No. 242115) and Roberts deeded it to Laatz in December of 2000 (Custer County Instrument No. 222054 and Lemhi County Instrument No. 246025).

The last time we spoke, it appeared to us that you were making good progress in determining which rights go with which land as well as the correct number of acres and amounts

Roxanne Brown
Idaho Department of Water Resources
July 13, 2006
Page 3 of 3

of water for each. As I recall, for example, even though several of the rights had been claimed as appurtenant to 640 acres, we learned that 40 of these acres (NWSE, Sec. 13, T13N., R23E.) are BLM land and there is no evidence of irrigation of them. Another 40 listed in several of the claims is the SWSE, Sec. 18, T13N., R24E. Actually, the portion of the east half of this 40 located north of Big Creek is not owned by Bob Dreyer and we do not believe it was ever owned by Big Creek Ranch, LLC either. I think you found it is owned by the Fairchild Family Trust. Bob Dreyer says this land has its own water right and has never been irrigated from the ditch that conveys water to his and NFT lands.

If we can provide any information that will be helpful to you, please let us know.

Yours very truly,



Kent W. Foster

Enclosures

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

Roger E. Crist
Post Office Box 232687
Ketchum, Idaho 83340

215067 235664
State of Idaho)
County of Lemhi) SS No. _____
This instrument was filed for record at the request
of Roger E. Crist
at 8:50 o'clock A. on 1-23 1998
and duly filed and indexed in the records of Lemhi
County
Alberta W. Peck
Ex-Officio Recorder
By Peggy Bunn Deputy
Fee \$ 12.00
Return to _____

(Space above line for Recorder's use)

0215069

WARRANTY DEED

FOR VALUE RECEIVED, ROBERT P. DREYER (hereinafter referred to as "Grantor"),
hereby grants, bargains, sells and conveys unto

Northwest Fidelity Trust - James E. Cain, Trustee, an eight and one-third percent
(8 1/3%) undivided interest as a tenant-in-common;

Thomas W. Forbes, an eight and one-third percent (8 1/3%) undivided interest as a tenant-
in-common;

Robert P. Dreyer, an eight and one-third percent (8 1/3%) undivided interest as a tenant-
in-common;

(hereinafter collectively referred to as "Grantee"), the real property situated in Lemhi and Custer
Counties, Idaho, described in Exhibit A, attached hereto.

AND TOGETHER WITH all and singular the buildings, structures, improvements,
tenements, hereditaments and appurtenances therunto belonging or appertaining thereto,
if any, and the reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, the said real property, with its appurtenances unto the said Grantee
and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with
the said Grantee, that the Grantor is the owner in fee simple of said real property, that said real
property is free from all encumbrances except as above-described, and that the Grantor will
warrant and defend the same from all lawful claims whatsoever.

DATED this 20 day of January, 1998.

Robert P. Dreyer
ROBERT P. DREYER

215069
Custer County Reg. of
Roger Crist

Time 11:05 A.M.
1-26 1998
Ethel M Peck, Clerk
E. W. Peck Deputy
12

WARRANTY DEED - 1

215067

STATE OF IDAHO)

) ss.

County of Blaine)

On this 20th day of January, 1998, before me, the undersigned notary public in and for said state, personally appeared ROBERT P. DREYER, known or identified to me to be the person who executed the foregoing instrument and acknowledged to me that said he executed the same.

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



Notary Public for Idaho

Residing at: IdahoComm. Expires: 5/31/03

recibireceivd

WARRANTY DEED - 2

215067

TOWNSHIP 13 N., RANGE 24 E., R.M., CUSTER COUNTY, IDAHO.

SECTION 19: ALL OF THE S1/2NE1/4; ALL OF THE NW1/4SE1/4

SECTION 20: ALL OF THE S1/2N1/2; AND ALL OF THAT PART OF THE NE1/4NE1/4 LYING AND BEING SOUTH OF BIG CREEK; AND ALSO ALL OF THAT PART OF THE NE1/4NW1/4 AND THE NW1/4NE1/4 LYING AND BEING SOUTH OF BIG CREEK

SECTION 21: ALL OF THE SW1/4NW1/4; AND ALL OF THAT PART OF THE NW1/4NW1/4 LYING SOUTH OF BIG CREEK

SECTION 22: ALL OF THE N1/2SW1/4SE1/4 LYING SOUTH OF BIG CREEK AND ALL THAT PART OF THE S1/2SE1/4 LYING SOUTH OF BIG CREEK EXCEPT THAT TRACT OF LAND DESCRIBED AS ALL OF THE N1/2SW1/4SE1/4 LYING SOUTH OF BIG CREEK; AND ALL OF THAT PART OF THE N1/2SW1/4 LYING SOUTH OF BIG CREEK

TOWNSHIP 13 N., RANGE 23 E., R.M., CUSTER COUNTY, IDAHO

SECTION 13: ALL THAT PART OF THE SW1/4NE1/4 LYING SOUTH OF BIG CREEK; AND ALL THAT PART OF THE E1/2SE1/4 LYING SOUTH OF BIG CREEK

TOWNSHIP 13 N., RANGE 24 E., R.M., LEHHI COUNTY, IDAHO

SECTION 19: LOTS 2 AND 3; THE NE1/4SW1/4 AND ALL OF THAT PART OF THE SW1/4SW1/4 LYING AND BEING ON THE NORTH AND EAST SIDE OF THE PAKSHAROT RIVER; AND ALL OF THAT PART OF THE SE1/4SW1/4 LYING AND BEING ON THE NORTH AND EAST SIDE OF THE PAKSHAROT RIVER; AND THE N1/2SW1/4SE1/4 LYING NORTH OF BIG CREEK AND THE SE1/4SE1/4 LYING NORTH OF BIG CREEK

SECTION 21: THE NW1/4NW1/4

EXHIBIT A-1

215069

TOWNSHIP 13 N., RANGE 23 E., B.M., LEMHI COUNTY, IDAHO.

SECTION 12: THE SE1/4SE1/4; AND A TRIANGULAR TRACT FORMING THE NE1/2SW1/4SE1/4 AND ALSO A TRIANGULAR TRACT FORMING THE SW1/2SW1/4SE1/4

SECTION 13: A TRIANGULAR TRACT FORMING THE NE1/2NE1/4NE1/4; THE NW1/4NE1/4; AND A TRIANGULAR TRACT FORMING THE SW1/2NE1/4NE1/4; ALL OF THE SE1/4NE1/4; AND ALL OF THAT PART OF THE SW1/4NE1/4 LYING AND BEING ON THE NORTH AND EAST SIDE OF THE PAHSIHAROI RIVER; AND ALL OF THAT PART OF THE NE1/4SE1/4 LYING AND BEING ON THE NORTH AND EAST SIDE OF THE PAHSIHAROI RIVER

TOWNSHIP 13 N., RANGE 24 E., B.M., LEMHI COUNTY, IDAHO.

SECTION 20: ALL OF THAT PART OF THE NE1/4NW1/4 LYING AND BEING ON THE NORTH AND EAST SIDE OF THE PAHSIHAROI RIVER; AND ALSO, ALL OF THAT PART OF THE NW1/4NE1/4 LYING AND BEING ON THE NORTH AND EAST SIDE OF THE PAHSIHAROI RIVER; AND ALSO, ALL OF THAT PART OF THE NE1/4NE1/4 LYING AND BEING ON THE NORTH AND EAST SIDE OF THE PAHSIHAROI RIVER

EXHIBIT A-2

Order No. 53081
AT-1853

WARRANTY DEED

FOR VALUE RECEIVED

ROBERT P. DREYER, an unmarried man

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

ROBERT P. SULLIVAN and DAWN M. SULLIVAN, husband and wife and
GARNEY B. HALL and VICTORIA F. HALL, husband and wife

GRANTEE(s) whose address is: 5537 E. Morada Lane, Stockton, CA 95212

the following described real property in Custer County and Lemhi County Idaho, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

TOGETHER WITH THE FOLLOWING DESCRIBED WATER RIGHTS:

320 inches with a priority date of 5/10/1911, No. A37-10014

Subject To: Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

TO HAVE AND TO HOLD said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: September 9, 2003

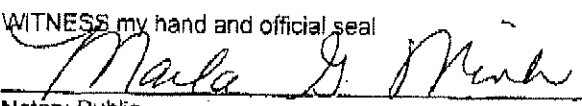

ROBERT P. DREYER

State of Idaho

County of Blaine

On this 9th day of September in the year 2003, before me, the undersigned, personally appeared ROBERT P. DREYER known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that she/he/they executed the same.

WITNESS my hand and official seal


Notary Public

Commission Expires: 02/12/2009

State of Idaho) SS No. 255994
County of Lemhi)

This instrument was filed for record at the request
of Alliance Title
at 11:10 o'clock am 9-17 2003
and duly filed and indexed in the records of Lemhi
County

Terri J. Morton
Ex Officio Recorder
By Brenda Anthony Deputy
Fee 6.00
Return to AT

0227798

Custer County Rec. of

Alliance

Time 3:36 PM Date 9/16/2003

Ethel M. Peck, Clerk

Ava Baker

Deputy

227798
255994

LEGAL DESCRIPTION
EXHIBIT 'A'

TOWNSHIP 13 N., RANGE 24 E., B.M., CUSTER COUNTY, IDAHO.

SECTION 19: ALL OF THE S1/2NE1/4; ALL OF THE NW1/4SE1/4

SECTION 20: ALL OF THE SW1/4NE1/4 AND THE S1/2NW1/4 AND
ALSO ALL OF THAT PART OF THE NE1/4NW1/4 AND THE NW1/4NE1/4
LYING SOUTH OF BIG CREEK.

TOWNSHIP 13 N., RANGE 24 E., B.M., LEMHI COUNTY, IDAHO.

SECTION 20: ALL OF THAT PART OF THE NE1/4NW1/4 LYING AND
BEING ON THE NORTH AND EAST SIDE OF BIG CREEK; AND ALSO, ALL
OF THAT PART OF THE NW1/4NE1/4 LYING AND BEING ON THE NORTH
AND EAST SIDE OF BIG CREEK.

219558

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

ROGER E. CRIST, ESQ.
Post Office Box 2326
Ketchum, Idaho 83340

State of Idaho
County of Lemhi } SS No. **242115**

This instrument was filed for record at the request
of Roger E. Crist

at 9:20 o'clock A.M. 9-22 1999

and duly filmed and indexed in the records of Lemhi
County

Tam J. Moran
Ex-Officio Recorder

By [Signature] Deputy

Fee 12.00

Return to Roger E. Crist

ORIGINAL IN FILE

(Space above line for Recorder's use)

WARRANTY DEED

FOR VALUE RECEIVED, receipt of which is hereby acknowledged, THOMAS W. FORBES, of Post Office Box 4917, Ketchum, Idaho (83340), hereinafter referred to as "Grantor," hereby grants, bargains, sells and conveys unto MICHAEL ROBERTS, doing business as FISHHAWK DEVELOPMENT, of 1229 Warren Wagon Road, McCall, ID 83613, hereinafter referred to as "Grantee," any and all interest he may have in the following described premises, situated in the State of Idaho, to-wit:

Real property in Custer and Lemhi Counties legally described in Exhibit 1 attached hereto, together with 60 inches of the water rights described in Exhibit 2 attached hereto.

This conveyance is subject to the Restrictive Covenant dated August 19, 1998, which is attached hereto as Exhibit 3 which Restrictive Covenant runs with the land and is binding on successors-in-interest.

AND TOGETHER WITH all and singular the buildings, structures, improvements, tenements, hereditaments and appurtenances thereunto belonging or appertaining thereto, if any, and the reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, the said real property, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said real property, that said real property is free from all encumbrances except as above-described, and that the Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED this 16th day of August, 1999.

[Signature]
THOMAS W. FORBES

219558

242115

STATE OF IDAHO)
) ss.
County of Blaine)

On this 16th day of August, 1999, before me, the undersigned notary public in and for said state, personally appeared THOMAS W. FORBES, known or identified to me to be the person who executed the foregoing instrument and acknowledged to me that he executed the same.

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

Archives
Notary Public for
Residing at: Blaine Co
Comm. Expires: 3/25/04

rec'd Forbes and
August 23, 1999

WARRANTY DEED - 2

0219558
Custer County Rec. of
Roger F. Priest
Time 11:00 A.M.
9/23 1999
Ethel M Peck, Clerk
James R. Langie
Deputy
\$ 12.00

217558

242115

TOWNSHIP 13 N., RANGE 24 E., B.M., CUSTER COUNTY, IDAHO.

SECTION 20: ALL OF THE SE1/4NE1/4 AND ALL OF THAT PART OF THE
NE1/4NE1/4 AND THE LYING SOUTH OF BIG CREEK.

SECTION 21: ALL OF THE SW1/4NW1/4, AND ALL OF THAT PART OF
THE NW1/4NW1/4 LYING SOUTH OF BIG CREEK.

TOWNSHIP 13 N., RANGE 24 E., B.M., LEMHI COUNTY, IDAHO.

SECTION 20: ALL OF THAT PART OF THE NE1/4NE1/4 LYING NORTH
OF BIG CREEK

SECTION 21: ALL OF THAT PART OF THE NW1/4NW1/4 LYING NORTH
OF BIG CREEK

rcalbridgosi.cxi

219558

242115

60 inches of Idaho Department of Water Resources Water Right Number
A73-10014 for use on the following described real property:

Township 13N, Range 24E, Boise Meridian, Custer County:

1. The SE 1/4 NE 1/4 of Section 20.
2. The SW 1/4 NW 1/4 of Section 21.

rcclbridges1.c2