

March 20, 2005
P.O. Box 969
Ketchum, ID 83340
208-351-5355

Mr. Randy Murdock
204 West, 300 South
Victor, ID 83455

Water Right Claims 22-4034 & 22-4032

Dear Mr. Murdock,

It has come to my attention that the Idaho Department of Water Resources is attempting to substantiate the priority date for your water right claim 22-4034 and my water right claim 22-4032.

For reference, both claims 22-4034 and 22-4032 have their source listed as the Lewis/Murdock Spring and its point of diversion located in the SW $\frac{1}{4}$, SE $\frac{1}{4}$, Township 4N, Range 45E, Section 10.

I understand based upon speaking with you today that you are 61 years old, that you were born in Teton Valley and you have lived on your family's ranch since your birth in 1943. At the time of your birth your father Russell Murdock was already living on the ranch which he purchased in approximately 1930 from your grandfather Albert Murdock who homesteaded the property in approximately 1900-1910.

From the time you purchased your ranch from your father in approximately 1972 to the present day, you have irrigated 160 acres located in the NE $\frac{1}{4}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$, Township 4N, Range 45E, Section 9 with water from the Lewis/Murdock Spring. Your father, who bought this property from your grandfather, owned it from approximately 1930-1972. While you grew up on the property, your father irrigated the same 160 acres with water from this spring. It is also your understanding that since the late 1800's your family has used water from the Lewis/Murdock spring to irrigate land for hay and cattle pasture in the area.

You also have knowledge that Bill Lewis, who owned the property to the east of your ranch from 1942-1986, and his father Eli Lewis who owned the property from the early 1900's, irrigated approximately 90 acres from the Lewis/Murdock Spring, and that irrigation has continued on the property to the present day. The location of the irrigation is just east of your place of use, located in the NW $\frac{1}{4}$, SW $\frac{1}{4}$, and the SE $\frac{1}{4}$, Township 4N, Range 45E. (The pasture just north of the road and east of your home.) You have knowledge from Clair Hillman, who is 10 years older than you, that Clair's father homesteaded the acreage where the Lewis/Murdock Spring originates. Both your acreage and my property, formerly the Lewis property were irrigated from Lewis/Murdock Spring since the time that both properties were homesteaded.

You also have knowledge that the Lewis/Murdock Spring runs into a ditch and then flows westerly. There is no headgate diverting the water from the spring to any other properties except for your ranch and my property. You know that historically there is water in the Lewis/Murdock Spring for irrigation from approximately late March until late October each year. You remember that Bill Lewis and your father would share the maintenance of the ditch each spring and throughout the year. You currently clean the ditch out each spring with a backhoe to get proper flow.

If you are in agreement with the above facts please sign this letter in the presence of a Notary of the Public. Thank you very much for your cooperation and time regarding this matter.

Sincerely,

Craig Knight
Manager Teton Valley Holdings

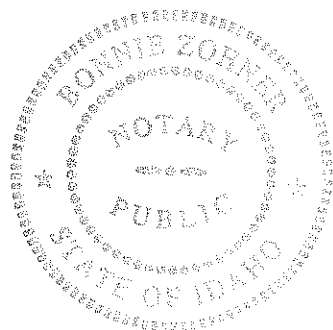
By signing below, I Randy Murdock solemnly swear that the statements contained in the foregoing documents are true and correct.

Signature Randy Murdock Date 3-21-05

State of Idaho _____)

County of Teton _____)

Subscribed and affirmed before me this 21st day of March 2005



Notary Public Bonnie Zoller

Residing at Driggs Idaho

My Commission Expires 10/13/2010

No. 31422

THE UNITED STATES OF AMERICA

Homestead Certificate No. 5096
Application 7654 } ss.

To all to Whom these Presents shall Come—GREETING:

WHEREAS, There has been deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Blackfoot, Idaho whereby it appears that, pursuant to the Act of Congress approved 20th May, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of John B. Cowan

has been established and duly consummated, in conformity to law, for the South east quarter of the south west quarter of section ten and the east half of the north west quarter and the south west quarter of the north west quarter of section fifteen in township four North of Range forty five East of Boise Meridian, in Idaho, containing one hundred and sixty acres.

according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor General.

NOW, KNOW YE, That there is, therefore, granted by the United States unto the said

John B. Cowan

the tract of land above described:

TO HAVE AND TO HOLD THE SAID TRACT OF LAND, with the appurtenances thereof, unto the said

John B. Cowan

and to his heirs

and assigns forever, subject to any vested and accrued water rights for mining, agricultural, manufacturing or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of Courts, and also subject to the right of the proprietor of a vein or lode, to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law, 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.

IN TESTIMONY WHEREOF, I,

Theodore Roosevelt

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 ninth day of May, in the year of our Lord one thousand nine hundred and seven, and of the Independence of the United States the one hundred and thirty first

BY THE PRESIDENT: T. Roosevelt

By F. M. McKean

Secretary.

Miscellaneous
Recorded Vol. 602

Page 393 H. W. Sanford

Recorder of the General Land Office.



Filed for Record at 3 o'clock P. M., April 13 A. D. 1910, and recorded at the request of

F. A. Miller

I. N. Corey

By Deputy.

Recorder

Transcribed from Book D, Patents, page 382, Fremont County Records.
Transcribed from Book 40 of Patents page 300 Madison County Records.

KNIGHT: COPY
ORINAL PATENT
Allen Property

5/537

Instrument No. 1526.

Jul 13 1916.

Blackfoot 07846

THE UNITED STATES OF AMERICA,

TO 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 Eleazar Lewis has been established and duly consummated, in conformity to law, for the southeast quarter of the northeast quarter of Section nine and the southwest quarter of the northwest quarter and the west half of the southwest quarter of Section ten in Township four north of Range forty-five east of the Boise Meridian, Idaho, containing one hundred sixty acres, according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor-General;

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.

IN TESTIMONY WHEREOF, I Woodrow Wilson, 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 thirteenth day of June in the year of our Lord one thousand nine hundred and sixteen and of the Independence of the United States the one hundred and fortieth.

By the President: Woodrow Wilson

(SEAL)

By W. P. LeRoy, Secretary.

L. T. C. Lamar, Recorder of the
General Land Office.

Recorded: Patent Number 536193

Recorded at the request of Miller & Viele August 2nd 1916 at 5:06 P. M.

W. F. ROBERTSON, RECORDER.