

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 37-2625A
Date Received: 10/27/1988
Receipt No: C003378
Received By:

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

1. Name of Claimant(s)

REDSTONE PARTNERS LP Phone: (208) 726-5191
1188 EAGLE VISTA CT
RENO NV 89511

2. Date of Priority: 11/13/1959

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	19E	28	SW SE NW	BLAINE	

5. Description of diverting works:

WELL, 20" CASING, 140' DEEP, 125 HP PUMP, SUMP W/ RELIFT PUMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	7.96	

7. Total Quantity Appropriated is:
7.96 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
01N	19E	27	SE SW	IRRIGATION	26

37-2625A 02/18/2005

			NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	38
			SW	SW	IRRIGATION	40
					Section Acres	144
01N	19E	28	NE	SW	IRRIGATION	20
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	34
			SE	SE	IRRIGATION	40
					Section Acres	174
01N	19E	33	NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	14
			SE	NE	IRRIGATION	27
					Section Acres	81
					Total Acres	399

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

TRANSFER 3438

15. Basis of Claim: License



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

March 31, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

JAMES P SPECK
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

Re: SRBA Claim(s) 37-481B, 37-482B, 37-483B, 37-665K, 37-667N,
37-2625A, 37-2625B, 37-2638B, 37-2700
Redstone Partners L.P.

Dear Jim:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership as requested. Please find the enclosed copies of the computer records of the claims noting the change in claimant. Review these records and if there is an error, or you have any questions, please give me a call.

I am also enclosing voided check number 33425, which was replaced with check 33452. As we discussed, I am returning the copies of an amendment to claim 37-2638 and a new claim filing based on an enlargement of claim 37-2625A. When you locate the originals, please submit them along with the proper filing fee. Again, give me a call should you have any questions.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosures

cc: Redstone Partners L.P.

RECEIVED

SEP 17 2004

Department of Water Resources
Southern Region

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

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
_____	<u>37-481B</u>	_____	_____	<u>37-2625A</u>	_____
_____	<u>37-482B</u>	_____	_____	<u>37-2700</u>	_____
_____	<u>37-483B</u>	_____	_____	<u>37-2638B</u>	_____
_____	<u>37-665K</u>	_____	<u>37-12193</u>	_____	_____
_____	<u>37-667N</u>	_____	<u>37-12194</u>	_____	_____

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

- A. The appropriate **FILING FEE**. See Instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions): **PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) NMS Leasing, Inc.
P.O. Box 460, Hailey, ID 83333
4. New Owner/Claimant(s) Redstone Partners, L.P.
 Name Connector (Check one): ☐ and, ☐ or ☐ and/or
- New Mailing Address 1188 Eagle Vista Ct.
- City, State and Zip Code Reno, Nevada 89511
- New Telephone Number (208) 726-5191
5. Date you acquired the property July 28, 2004

6. **IF THE CHANGE IN OWNERSHIP AFFECTS THE ENTIRE WATER RIGHTS FOR EACH WATER RIGHT OR ADJUDICATION CLAIM NUMBER LISTED IN ITEM 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change of ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (Cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (Cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New owner(s) or Claimant(s)
(include title if applicable) Redstone Partners, L.P.
By: Steve Beevers
Steve Beevers, Manager of SDB Ventures, Its General Partner

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use only

Received by [Signature] Date 10/7/04 Fee 50.00
 Received by [Signature] Date 10/7/04 Receipt No. 3027107
 Processed by _____ AJ Date _____ WR _____ Date _____

RECEIVED

OCT 07 2004

INDEMNIFICATION AGREEMENT

Department of Water Resources
Southern Region

THIS INDEMNIFICATION AGREEMENT is made and entered into as of the date of the last signature hereto, by and among REDSTONE PARTNERS L.P., a Nevada limited partnership (hereinafter referred to as "Buyer"), and NMS LEASING, INC. and COVE RANCH, INC., (hereinafter collectively referred to as "Seller").

RECITALS

A. Buyer has entered into an Agreement to purchase from Seller certain real property and appurtenant water rights commonly known as The Cove Ranch. Buyer has requested Seller to amend its claim filed *In Re: The General Adjudication of Rights to the Use of Water From the Snake River Basin Water System*, Twin Falls District Court Case No. 3956 (the "SRBA") for water right No. A37-02638 and to file a new claim in the SBRA for an enlargement in use of water right no. A37-2625A.

B. Buyer's counsel has prepared said amended claim and new claim based upon his own investigation and not in reliance upon any representations of Seller.

C. Seller is willing to sign and file such claims provided Buyer indemnifies Seller with respect to such actions on the terms and conditions set forth below.

TERMS AND CONDITIONS

1. INCORPORATION OF RECITALS. The Recitals set forth above are an integral part of this Agreement and are fully incorporated herein by this reference.

2. INDEMNIFICATION. Buyer shall indemnify, defend, protect and hold Seller free and harmless from and against any and all claims, liabilities, penalties, forfeitures, losses or expenses (including attorney's fees) arising from or caused in whole or in part, directly or indirectly, by the filing in the SRBA of an amended claim for water right no. A37-02638 and a new claim for an enlargement in use of water right no. A37-26225A.

3. SELLER DISCLAIMER. Seller does not warrant or represent that said amended claim or new claim shall be adjudicated as valid in whole or in part and Seller has no obligation to pursue or defend said amended claim or new claim.

4. GENERAL PROVISIONS.

a. Necessary Acts. Each party agrees to perform any further acts and execute any documents that may be reasonably necessary to effect the purpose of this Agreement.

b. Attorney Fees. In the event either party hereto retains an attorney for the purpose of enforcing any right or duty arising out of this Agreement, the non-prevailing party in such dispute shall pay to the prevailing party the latter's reasonable attorneys fees, whether or not litigation is actually instituted.

c. Governing Law. The validity, meaning and effect of this Agreement shall be determined in accordance with the laws of the State of Idaho applicable to agreements made and performed in that State.

d. Captions to Paragraphs. The captions to the paragraphs of this Agreement are for convenience only and shall not be deemed to enlarge, diminish, explain, or in any manner affect the meaning of such paragraphs.

e. Binding Agreement. This Agreement shall be binding upon and inure to the benefit of the heirs, personal representatives, administrators, successors, and assigns of the parties hereto.

f. Survival of Covenants. All covenants and conditions in this Agreement are intended to survive the delivery and acceptance of any warranty deeds for the Cove Ranch.

g. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the dates set forth below.

"BUYER"

REDSTONE PARTNERS L.P.

By: SDB Ventures, a Nevada limited liability
company
Its General Partner

Date: 7-28-2004

By: Steve Beevers
Steve Beevers, Manager

"SELLER:"

NMS LEASING, INC.

Date: _____

By: _____
Cary Spalding
Its President

COVE RANCH, INC.

Date: _____

By: _____
Cary Spalding
Its President

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NMS LEASING, INC.

By: Todd Hoch
Todd Hoch
Its Secretary/Treasurer

COVE RANCH, INC.

By: Todd Hoch
Todd Hoch
Its Secretary/Treasurer

"BUYER"

REDSTONE PARTNERS L.P.
By: SDB Ventures, a Nevada limited liability
company
Its General Partner

Date: _____

By: _____
Steve Beevers, Manager

"SELLER:"

NMS LEASING, INC.

Date: 7/25/04

By: Cary Spalding
Cary Spalding
Its President

COVE RANCH, INC.

Date: 7/25/04

By: Cary Spalding
Cary Spalding
Its President

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LEGAL DESCRIPTION OF COVE RANCH

1

A parcel of land lying within Sections 13, 14, 15, 17, 20, 21, 22, 23, 24, 26, 27, 28, 33, and 34

Township 1 North, Range 19 East, Boise Meridian, Blaine County, Idaho and more particularly described as follows:

Beginning at a 5/8" Rebar marking the N 1/16 (North One-Sixteenth) corner common to said Sections 17 and 18, which lies South 00°49' East 1310.8 feet from a 5/8" Rebar marking the Northwest corner of said Section 17, said point being the REAL POINT OF BEGINNING;

thence North 89°36' East 2631.3 feet along the southerly boundary of Griffin Ranch Subdivision, Instrument No. 385534 as Recorded with the Blaine County Recorder's Office, Hailey, Idaho to a 5/8" Rebar marking the CN 1/16 (Center North One-Sixteenth) of said Section 17;

thence North 1°09' West 5.8 feet along the boundary of said Griffin Ranch Subdivision Boundary to a 5/8" Rebar marking the Southwest corner of U.S. Government Lot 2 of said Section 17;

thence North 89°28' East 1315.1 feet along the boundary of said Griffin Ranch Subdivision to the Southeast corner of U.S. Government Lot 2 of said Section 17;

thence South 00°55' East 1319.2 feet to the Southwest corner of U.S. Government Lot 3 of said Section 17;

thence North 89°36' East 1334.1 feet to the W 1/4 (West One-Quarter) corner of said Section 16;

thence South 00°37' East 2621.0 feet to the Southwest corner of said Section 16;

thence North 88°44' East 1356.9 feet to the W 1/16 (West One-Sixteenth) corner common to said Sections 16 and 21;

thence South 00°48' East 323.0 feet along the boundary common to U.S. Government Lots 3 and 8 of said Section 21 to its intersection with the Northerly boundary of the Hidden Treasure No. 2 Extension Lode of said Section 21;

thence South 61°02' West 627.1 feet along the boundary common to U.S. Government Lot 8 of said Section 21 and the northerly boundaries of Hidden Treasure No. 1 Extension Lode and Hidden Treasure No. 2 Extension Lode to the Northwest corner of Hidden Treasure No. 1 Extension Lode of said section 21;

thence South 03°05' West 1478.2 feet to the Northwest corner of Hidden Treasure No. 1 Lode of said Section 21;

thence North 27°12' West 47.8 feet to the Northeast corner of the Ione Lode of said Section 21;

thence South 78°58' West 263.7 feet to the Northwest corner of the said Ione Lode;

thence South 41°29' East 371.8 feet to the westerly corner of the said Ione Lode;

thence South 14°16' East 1100.6 feet to the Southwest corner of said Ione Lode;

thence North 77°47' East 526.5 feet to the Southeast corner of said Ione Lode;

thence South 29°19' East 47.3 feet to the Southwest corner of said Hidden Treasure No. 1 Lode;

thence South 30°59' East 1492.6 feet to the Southwest corner of the Idaho Central No. 1 Lode of said Section 21;

thence North 60°28' East 503.5 feet to the intersection with the East boundary of the SW 1/4 (Southwest One-Quarter) of said Section 21;

thence South 01°21' East 850.0 feet, more or less, to the S 1/4 (South One-Quarter) corner of said Section 21;

thence South 89°50' East 2405.8 feet to the Southeast corner of said Section 21;

thence North 00°01' West 2664.6 feet to the E 1/4 (East One-Quarter) corner of said Section 21;

thence North 89°42' West 1270.9 feet to the CE 1/16 (Center East One-Sixteenth) corner of said Section 21;

thence North 00°07' West 2664.6 feet to the E 1/16 (East One-Sixteenth) corner common to said Sections 21 and 16;

thence South 89°47' East 1277.7 feet to the Northeast corner of said Section 21;

thence North 00°01' West 3962.7 feet to the North 1/16 (North One-Sixteenth) corner common to said Sections 15 and 16;

thence North 89°55' East 1320.1 feet to the NW 1/16 (Northwest One-Sixteenth) corner of said Section 15;

thence South 00°02' East 1319.1 feet to the CW 1/16 (Center West One-Sixteenth) corner of said Section 15;

thence South 90°00' East 3959.4 feet to the East 1/4 (East One-Quarter) corner of said Section 15;

thence South 90°00' East 2639.6 feet to the C 1/4 (Center One-Quarter) corner of said Section 14;

thence South 00°01' East 1319.1 feet to the CS 1/16 (Center South One-Sixteenth) corner of said Section 14;

thence North 89°52' East 1320.2 feet to the SE 1/16 (Southeast One-Sixteenth) corner of said Section 14;

thence North 00°00' East 2641.8 feet to the NE 1/16 (Northeast One-Sixteenth) corner of said Section 14;

thence South 89°52' East 1320.1 feet to the N 1/16 (North One-Sixteenth) corner common to said Sections 13 and 14;

thence South 00°01' East 3957.3 feet to the Southwest corner of Section 13;

thence North 89°48' West 1320.4 feet to the E 1/16 (East One-Sixteenth) common to said Sections 14 and 23;

thence South 00°01' East 1319.1 feet to the NE 1/16 (Northeast One-Sixteenth) corner of said Section 23;

thence South 89°53' East 1315.1 feet to the North 1/16 corner common to said Sections 23 and 24;

thence South 89°53' East 1315.1 feet to the NW 1/16 (Northwest One-Sixteenth) corner of said Section 24;

thence South 00°11' East 2638.2 feet to the SW 1/16 (Southwest One-Sixteenth) corner of said Section 24;

thence North 89°49' West 1317.5 feet to the S 1/16 (South One-Sixteenth) corner common to said Sections 24 and 23;

thence South 00°01' East 1319.1 feet to the Southeast corner of said Section 23;

thence North 89°47' West 1318.3 feet to the E 1/16 (East One-Sixteenth) corner common to said Sections 23 and 26;

thence South 00°50' East 3973.0 feet to the SE 1/16 (Southeast One-Sixteenth) corner of said Section 26;

thence North 89°55' West 3857.8 feet to the S 1/16 (South One-Sixteenth) corner common to said Sections 26 and 27;

thence North 89°55' West 1285.9 feet to the SE 1/16 (Southeast One-Sixteenth) corner of said Section 27;

thence South 00°17' East 1331.6 feet to the East 1/16 (East One-Sixteenth) corner common to said Sections 27 and 34;

thence South 00°17' East 2663.2 feet to the CE 1/16 (Center East One-Sixteenth) corner of said Section 34;

thence North 89°44' West 3885.9 feet to the W 1/4 (West One-Quarter) corner of said Section 34;

thence South 89°46' West 536.7 feet along the South boundary of the NE 1/4 (Northeast One-Quarter) of said Section 33 to its intersection with the former Railroad right-of-way, lying 100 feet from centerline;

thence North 31°10' West 9304.8 feet along the Railroad right-of-way to its intersection with the West boundary of said Section 21;

thence South 00°37' East 98.3 feet along the Railroad right-of-way to the ITD brass cap marking the corner common to Sections 20, 21, 28, and 29, lying 50 feet from centerline;

thence North 31°09' West 6108.6 feet along the former Railroad right-of-way to its intersection with the boundary common to said Sections 17 and 20;

thence North 89°39' East 58.2 feet along said Section line to a point lying 100 feet from the former Railroad centerline;

thence North 31°09' West 4455.5 feet along the Railroad right-of-way to its intersection with the said Griffin Ranch Subdivision boundary;

thence North 00°49' West 96.4 feet along said Griffin Ranch Subdivision boundary to the REAL POINT OF BEGINNING.

A parcel of land lying within Sections 13, 14, 15, 17, 20, 21, 22, 23, 24, 26, 27, 28, 33, and 34

Township 1 North, Range 19 East, Boise Meridian, Blaine County, Idaho and more particularly described as follows:

Beginning at a 5/8" Rebar marking the N 1/16 (North One-Sixteenth) common to said Sections 17 and 18, which lies South 00°49' East 1310.8 feet from a 5/8" Rebar marking the Northwest corner of said Section 17, thence South 00°49' East 492.4 feet along the West boundary of said Section 17 to its intersection with the Railroad right-of-way and the REAL POINT OF BEGINNING;

thence South 00°49' East 818.4 feet to the W 1/4 (West One Quarter) of said Section 17;

thence South 00°50' East 2612.4 feet to the Southwest corner of said Section 17;

thence South 00°48' East 1298.0 feet to the N 1/16 (North One Sixteenth) corner common to said Sections 20 and 19;

thence South 89°59' East 2623.7 feet to the CN 1/16 (Center North One- Sixteenth) corner common to said Section 20;

thence North 01°02' West 386.1 feet to the intersection with the Rail Road right- of-way, lying 50 feet from centerline;

thence North 31°09' West 1081.3 feet, more or less, along said Rail Road right -of - way to a point on the boundary of said Sections 17 and 20;

thence South 89°39' West 58.2 feet along said Section line to a point lying 100 feet from centerline;

thence North 31°09' West 3994.5 feet along the Rail Road right-of-way to the REAL POINT OF BEGINNING.

U.S. Government Lot 1, Section 19, Township 1 North, Range 20 East, Boise Meridian, Blaine County, Idaho and more particularly described as follows:

Beginning at a Brass Cap marking the Section corner common to said Sections 22,23,27, and 26, which lies North 00°39' West 2640.1 feet from a Brass Cap marking the West 1/4 (West One Quarter) corner common to Sections 26 and 27, thence North 63°10' East 11,711.2 feet to the REAL POINT OF BEGINNING;

thence North 90°00' East 1249.6 feet;

thence South 00°00' East 1320.0 feet

thence South 89°58' West 1256.5 feet

thence North 00°18' West 1320.7 feet to the REAL POINT OF BEGINNING.

EXCEPTING THEREFROM ANY PORTIONS LYING WITHIN THE RAILROAD
RIGHT-OF-WAY.

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

RECEIVED

OCT 07 2004

Department of Water Resources
Southern Region

COPY

(space above line for Recorder's use)

QUITCLAIM DEED

FOR VALUE RECEIVED, NMS Leasing, Inc., an Idaho corporation and Cove Ranch, Inc., an Idaho corporation, hereinafter collectively referred to as "Grantor," do hereby convey, release, remise, and forever quitclaim unto Redstone Partners L.P., a Nevada Limited Partnership, of 1188 Eagle Vista Ct, Reno, NV, (89511), hereinafter referred to as "Grantee," any and all interest Grantor may have in the following described premises, situated in Blaine County, Idaho, to wit:

Any and all water rights appurtenant to the following described premises in Blaine County, Idaho, to wit: (see attached legal description attached as Exhibit "A" and made a part hereof), which may include, but are not limited to, the following: those water rights claimed in the SRBA as 37-481B, 37-482B, 37-483B, 37-665K, 37-667N, 37-2625A, 37-2625B, 37-2638B, 37-2700 and for the enlargement of 37-2625A pursuant to I.C. § 42-1426, and those water rights decreed in the SRBA as 37-12193 and 37-12194.

Located on property shown on Exhibit "A" attached hereto and made a part hereof.

This instrument may be executed in counterparts, and as executed shall constitute on agreement, binding on all parties, even though all the parties do not sign the original or the same counterpart.

IN WITNESS WHEREOF, The Grantor, pursuant to resolutions of such Grantor's Board of Directors has caused their corporate names to be hereunto subscribed by their Presidents and Secretary/Treasurers.

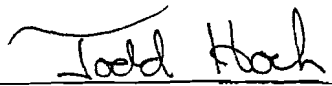
GRANTOR:

NMS Leasing, Inc., an Idaho corporation

DATED this _____ day of July, 2004.

Cary Spalding, President

DATED this _____ day of July, 2004.



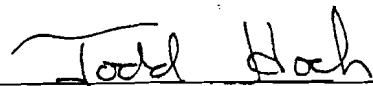
Todd Hoch, Secretary/ Treasurer

Cove Ranch, Inc., an Idaho corporation

DATED this _____ day of July, 2004.

Cary Spalding, President

DATED this _____ day of July, 2004.



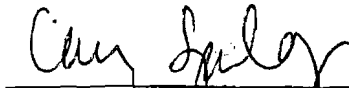
Todd Hoch, Secretary/ Treasurer

IN WITNESS WHEREOF, The Grantor, pursuant to resolutions of such Grantor's Board of Directors has caused their corporate names to be hereunto subscribed by their Presidents and Secretary/Treasurers.

GRANTOR:

NMS Leasing, Inc., an Idaho corporation

DATED this 26 day of July, 2004.



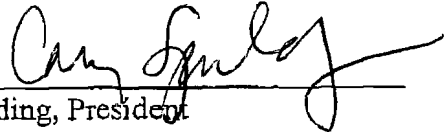
Cary Spalding, President

DATED this 26th day of July, 2004.

Todd Hoch, Secretary/ Treasurer

Cove Ranch, Inc., an Idaho corporation

DATED this 26 day of July, 2004.



Cary Spalding, President

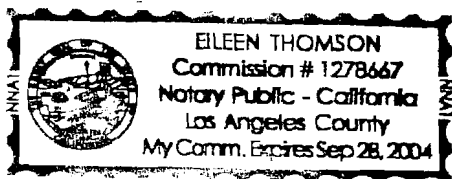
DATED this _____ day of July, 2004.

Todd Hoch, Secretary/ Treasurer

STATE OF California)
County of Los Angeles)

On this 26th day of July, 2004, before me, the undersigned, a notary public in and for said State, personally appeared Cary Spalding, President of NMS Leasing, Inc. known to me to be the President of said corporation and the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in said capacity.

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



Eileen Thomson
Notary Public for California
Residing at: Los Angeles
My Commission Expires: 9.28.2004

STATE OF California)
County of Los Angeles)

On this 26th day of July, 2004, before me, the undersigned, a notary public in and for said State, personally appeared Cary Spalding, President of Cove Ranch, Inc. known to me to be the President of said corporation and the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in said capacity.

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



Eileen Thomson
Notary Public for California
Residing at: Los Angeles
My Commission Expires: 9.28.2004

STATE OF Hawaii)
) ss
County of Honolulu)

On this 23rd day of July, 2004, before me, the undersigned, a notary public in and for said State, personally appeared Todd Hoch, Secretary/ Treasurer of NMS Leasing, Inc. known to me to be the Secretary/ Treasurer of said corporation and the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in said capacity.

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

LS

Emelda C Basilio EMELDA C. BASILIO
Notary Public for State of Hawaii
Residing at: Honolulu, Hawaii
My Commission Expires: AUG 05 2005

STATE OF Hawaii)
) ss
County of Honolulu)

On this 23rd day of July, 2004, before me, the undersigned, a notary public in and for said State, personally appeared Todd Hoch, Secretary/ Treasurer of Cove Ranch, Inc. known to me to be the Secretary/ Treasurer of said corporation and the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in said capacity.

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

LS

Emelda C Basilio EMELDA C. BASILIO
Notary Public for ~~Hawaii~~ State of Hawaii
Residing at: Honolulu, Hawaii
My Commission Expires: AUG 05 2005

FAWPDATA\REAL\Cove Ranch\QUITCLAIM.frm

QUITCLAIM DEED - 4

CA

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: A37-02625A
Date Received: 10/27/1988
Receipt No: C003378
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NMS LEASING, INC. 208-338-2036
Address: C/O FIRST SECURITY BANK
Corrected in database P.O. BOX 2618
ATTN: STEVE ALLEN, TRUST DEPT.
BOISE, ID 83701

2. Date of Priority: NOV 13, 1959

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	19E	28	SW	SE	NW		BLAINE

5. Description of diverting works:
WELL, 20" CASING, 140' DEEP, 125 HP PUMP, SUMP W/ RELIFT PUMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	7.960		

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

8. Total consumptive use is 997.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	19E	27	NE	SW		IRR	40.0
			NW	SW		IRR	38.0

MICROFILMED
FEB 23 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	19E	27	SW	SW		IRR	40.0
			SE	SW		IRR	26.0
					Section Acres		144.0
		28	NE	SW		IRR	20.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	34.0
			SE	SE		IRR	40.0
					Section Acres		174.0
		33	NE	NE		IRR	40.0
			NW	NE		IRR	14.0
			SE	NE		IRR	27.0
					Section Acres		81.0
					Total Acres		399.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

37-00481/00482A/00483/00665C/00666A/00667E/02625B

14. Remarks:

TRANSFER 3438

15. Basis of Claim: LICENSE

Water Right Number: 28261

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 Organizations:

I do solemnly swear or affirm that I am _____ of
_____, Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____, Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

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: 39356
Ident Number A37-02625A
Date Received 10-27-88
Receipt Number C003378

RECEIVED

OCT 27 1988

Department of Water Resources
Cultural Heritage Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s): NMS Leasing, Inc.
Phone: (208) 338-2036
Mailing Address: c/o First Security Bank Trust Department
P.O. Box 2618
Boise, ID 83701
attn: Mr. Steve Allen, Trust Officer
2. Date of Priority: November 13, 1959
3. Source of water supply (a) Groundwater
which is tributary to (b)
4. a. Location of point of diversion is:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
1N	19E	28	SW	SE	NW		Blaine

Additional points of diversion if any: None.

- b. If instream flow, beginning point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
-----------------	--------------	----------------	------------	------------	------------	------------	---------------

Ending point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
-----------------	--------------	----------------	------------	------------	------------	------------	---------------

MICROFILMED
FEB 23 1993

5. Description of existing diversion works: 140 feet deep well, 20 inch casing, 125 HP pump to sump with re-lift booster pumps to mainline.

6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Irrigation	April 1	November 1	7.96

7. Total Quantity Claimed: 7.96

8. Total consumptive use claimed is 997.5 acre feet per annum.

9. Non-irrigation uses: None.

10. Place of use:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>Use</u>	<u>Irrig. Acres</u>
1N	19E	27	NE	SW	I	40
1N	19E	27	NW	SW	I	38
1N	19E	27	SW	SW	I	40
1N	19E	27	SE	SW	I	26
1N	19E	28	NE	SW	I	20
1N	19E	28	NE	SE	I	40
1N	19E	28	NW	SE	I	40
1N	19E	28	SW	SE	I	34
1N	19E	28	SE	SE	I	40
1N	19E	33	NE	NE	I	40
1N	19E	33	NW	NE	I	14
1N	19E	33	SE	NE	I	27

Total number of irrigated acres: 399

11. Place of use is located in Blaine County.

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

13. Describe any other water rights used at the same place and for the same purposes as described above 37-0481, 37-0482A, 37-0483, 37-0665C, 37-0666A, 37-0667E, 37-2625B.

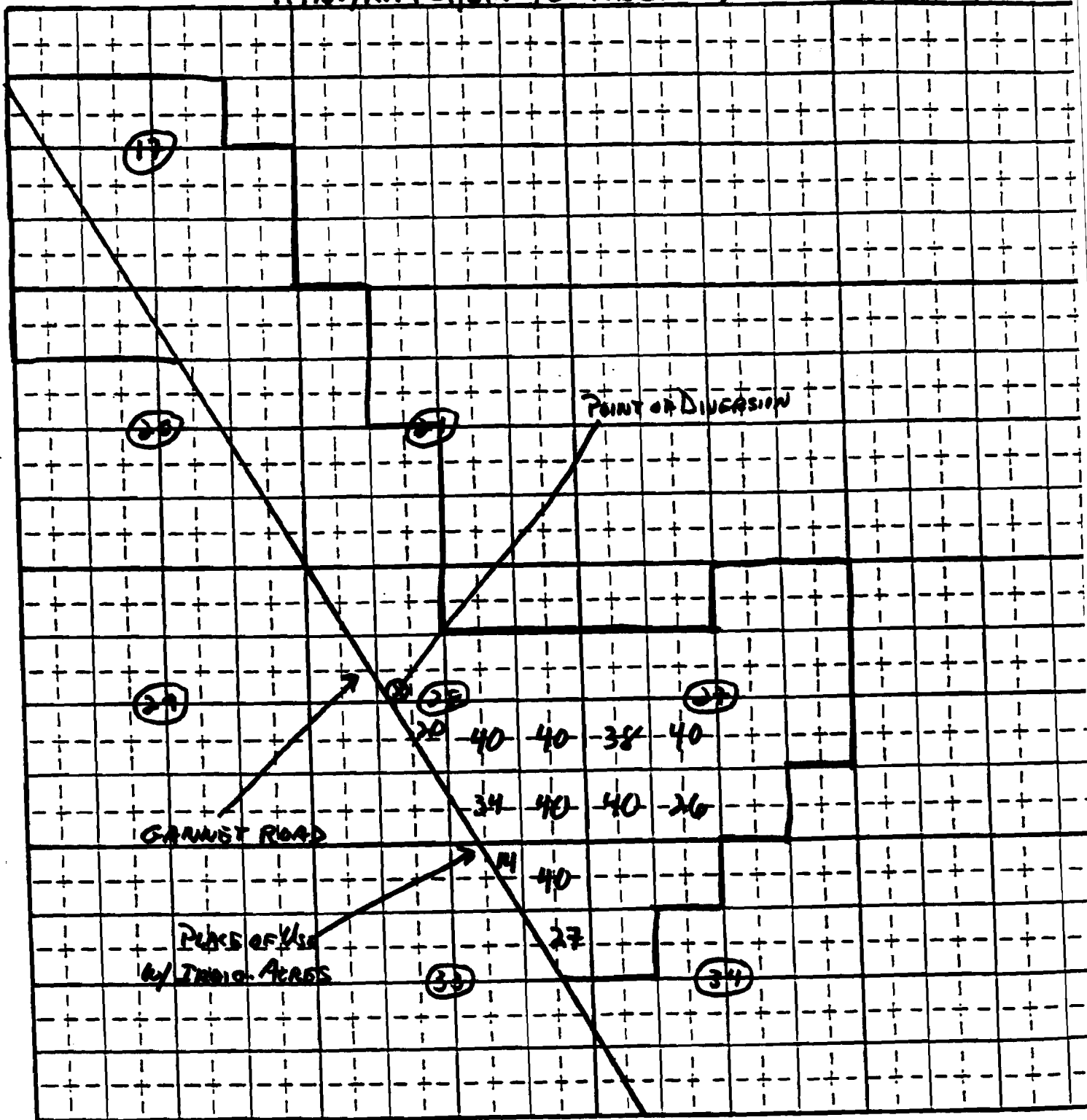
Last Name: NMS Leasing Ident No. _____

MICROFILMED
FEB 23 1993

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

T. 1 N., R. 17 E., B.M., BLAINE COUNTY



Last Name

NMS LEASING

Ident No.

MICROFILMED
FEB 23 1993
Copies of this State, Territory, and Possession

14. Remarks: Transfer 3438.

15. Basis of Claim: License
IDWR Water Right Number: 37-2625A
Court:
Case Number:
Decree Date:
Plaintiff v. 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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments 0

[For Organizations] I do solemnly swear or affirm that I am Sec. Treas of NMS Leasing, Inc., that I have signed the foregoing document in the space below as Sec. Treas of NMS Leasing, Inc. and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent James P. Speck, his attorney-in-fact

Title of Organization NMS Leasing, Inc.

Date 10/25/88

State of Idaho)
County of Blaire) ss.

Subscribed and sworn before me this 25th day of October, 1988.

Notary Public Betty Marie Becker
Residing at Sun Valley
Commission Expires 11/7/93

17. Notice of Appearance:

Notice is hereby given that I, James P. Speck, will be acting as attorney at law 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 the address listed below.

Signature: James P. Speck

James P. Speck
Hogue, Speck & Aanestad
P.O. Box 987
Ketchum, ID 83340

Date: 10/25/88

Last Name: NMS Leasing
j:\coverch9.clm

Ident No.: _____

MICROFILMED
FEB 23 1993

02/02/2007

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-2625A

NAME AND ADDRESS: REDSTONE PARTNERS LP
1188 EAGLE VISTA CT
RENO NV 89511

SOURCE: GROUND WATER

TRIBUTARY:

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

QUANTITY: 7.960 CFS

The rights listed below are limited to a total combined diversion rate of 7.96 cfs.
Combined Right Nos.: 37-2625A and 37-21463.

The rights listed below are limited to a total combined diversion rate of 21.85 cfs.
Combined Right Nos.: 37-2625A, 37-2638, 37-2700 and 37-21463.

PRIORITY DATE: 11/13/1959

POINT OF DIVERSION:

T01N R19E S17 NWSWNW Within BLAINE County

T01N R19E S20 NENENW Within BLAINE County

T01N R19E S28 SWSSENW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	7.960 CFS 1,396.50 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T01N R19E S17	SWNE	38.00	T01N R19E S17	SWNW	34.00
T01N R19E S17	SENE	40.00	T01N R19E S17	NESW	40.00
T01N R19E S17	NWSW	34.00	T01N R19E S17	SWSW	40.00
T01N R19E S17	SESW	35.00	T01N R19E S17	NESE	11.00
T01N R19E S17	NWSE	40.00	T01N R19E S17	SWSE	40.00
T01N R19E S17	SESE	22.00	T01N R19E S20	NENE	39.00
T01N R19E S20	NWNE	39.00	T01N R19E S20	SWNE	19.00
T01N R19E S20	SENE	40.00	T01N R19E S20	NENW	37.00
T01N R19E S20	NWNW	40.00	T01N R19E S20	NESE	35.00
T01N R19E S20	NWSE	1.30	T01N R19E S20	SESE	13.00
T01N R19E S21	NWNW	10.00	T01N R19E S21	SWNW	9.00
T01N R19E S21	NWSW	24.00	T01N R19E S21	SWSW	36.00

02/02/2007

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

T01N R19E S21	SESW	1.20	T01N R19E S27	NENE	11.00
T01N R19E S27	NWNE	9.00	T01N R19E S27	SWNE	40.00
T01N R19E S27	SENE	11.00	T01N R19E S27	SWNW	13.00
T01N R19E S27	SENW	30.00	T01N R19E S27	NESW	40.00
T01N R19E S27	NWSW	38.00	T01N R19E S27	SWSW	40.00
T01N R19E S27	SESW	30.00	T01N R19E S27	NESE	3.80
T01N R19E S27	NWSE	36.00	T01N R19E S27	SWSE	4.00
T01N R19E S28	SWNE	14.00	T01N R19E S28	SENE	4.00
T01N R19E S28	NENW	13.00	T01N R19E S28	NWNW	29.00
T01N R19E S28	SWNW	6.40	T01N R19E S28	SENW	37.00
T01N R19E S28	NESW	22.00	T01N R19E S28	NWSW	2.20
T01N R19E S28	NESE	39.00	T01N R19E S28	NWSE	39.00
T01N R19E S28	SWSE	36.00	T01N R19E S28	SESE	40.00
T01N R19E S33	NENE	40.00	T01N R19E S33	NWNE	14.00
T01N R19E S33	SENE	30.00	T01N R19E S34	NENW	0.20
T01N R19E S34	NWNW	31.00	T01N R19E S34	SWNW	15.00

1435.1 ACRES TOTAL

This right is limited to the irrigation of 399 acres within the place of use described above in a single irrigation season.

Right Nos. 37-2625A, 37-2638, 37-2700 and 37-21463 are limited to the irrigation of a combined total of 1435.1 acres in a single irrigation season.

Right Nos. 37-481B, 37-482G, 37-483B, 37-665K, 37-666J, 37-667N, 37-2625A, 37-2638, 37-2700, 37-21463 and 37-22155 are limited to the irrigation of a combined total of 1435.1 acres in a single irrigation season.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

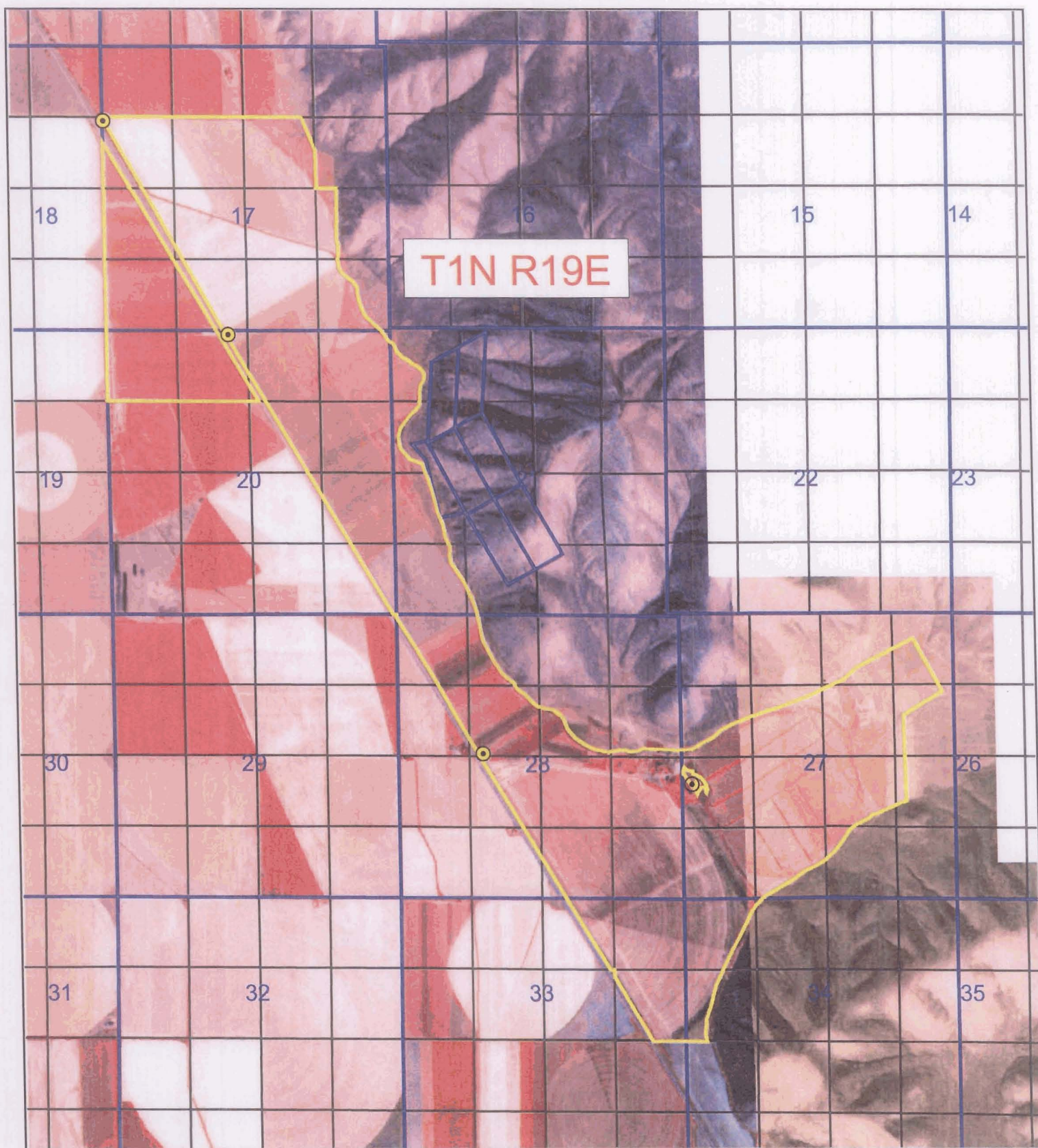
Right No. 37-21463 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Right split into 37-2625A and 37-2625B by Transfer 3438.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

37-2625A, 37-2638, 37-2700 & 37-21463



- Section Lines
- Quarter/Quarter Lines
- Place of Use
- Point(s) of Diversion

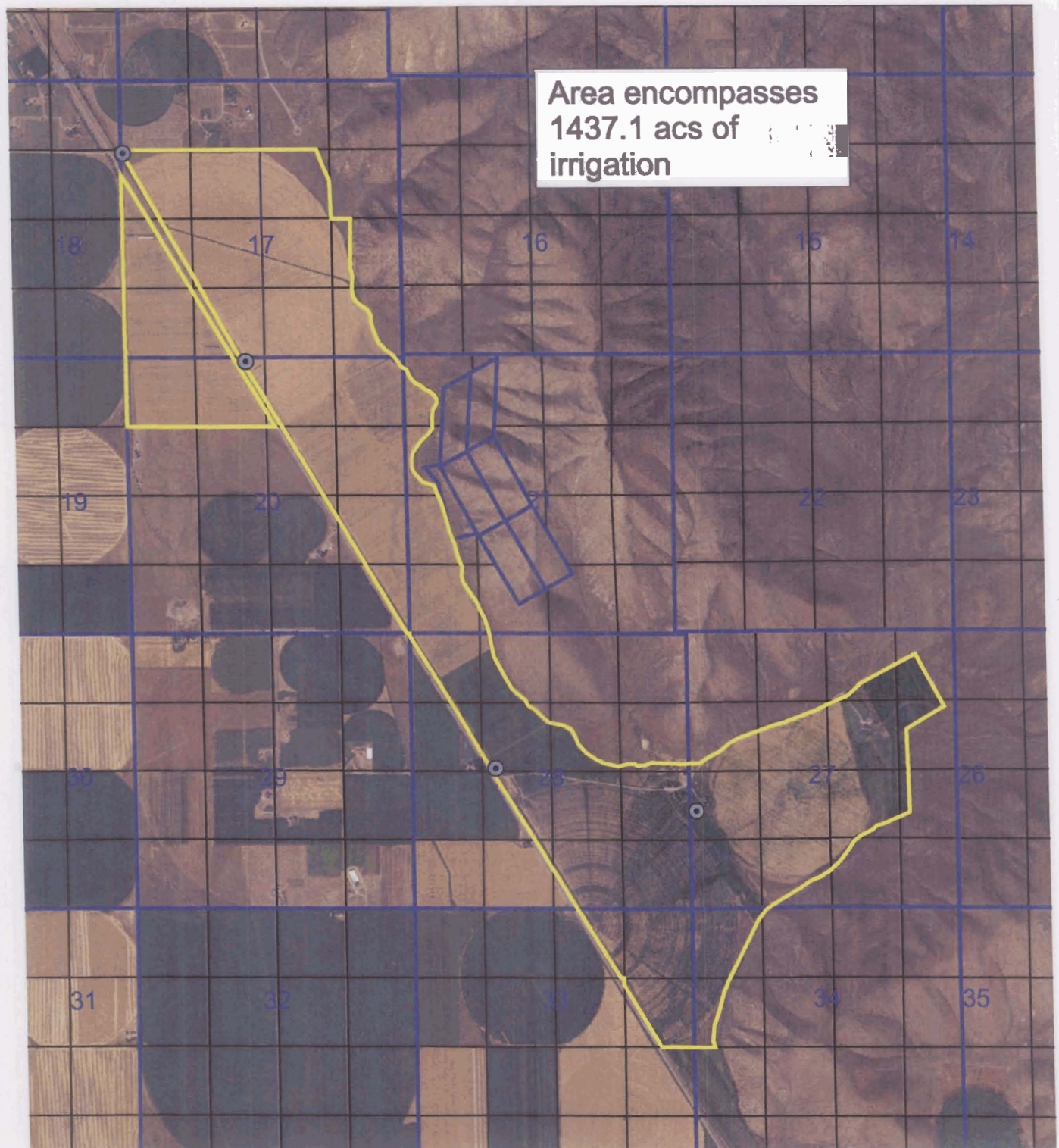
3000 0 3000 Feet



GIS PLACE OF USE PRESENTATION
 PHOTOGRAPHY: 1987or1988 NAPP
 DATA ENTRY: 1/3/2007
 DOUGLAS JONES

			Priority	Claim Rate	Claim Vol	Claim Ac	Ac Found	Delta Ac	Rec Rate	Rec Vol	Rec Ac	rate/ac
	481	B	1882/08/01	13.67		1572	1079		13.67		1079	
	482	G	1884/08/01	10.87		1572	1079		10.87		1079	
	483	B	1902/08/01	68		1572	1079		68		1079	
	665	K	1884/10/15	2.06		1572	263		2.06		263	
	666	J	1886/06/12	1.1		1572	263		1.1		263	
	667	N	1891/06/15	2.34		1572	263		2.34		263	
							1342		~~48.04~~ 0.68%		1342	
	2625	A	1959/11/13	7.96		399	412.2	13.2	7.96	1396.5	399	0.020
	2625	B	1959/11/14	0.04		2	2		0.04	7	2	0.020
	2638		1960/08/01	4.01		428	431.6	3.6	4.01	1498	428	0.009
	2700		1964/08/20	9.88		494	369.2	-124.8	9.88		414.1*	0.024
	21463		1984/04/01	3.88		194	207.5	13.5			194	
						1517	1422.5				1437.1	
Need	SW Enlg	95		*	369.2	Found ac w/in 2700 POU						
					13.2	Found ac w/in 2625 POU						
					3.6	Found ac w/in 2638 POU						
					13.5	Found ac w/in 21463 POU						
					14.6	Other Misc ac w/in POU						
				Total =	414.1							

Redstone Partners



2000 0 2000 Feet

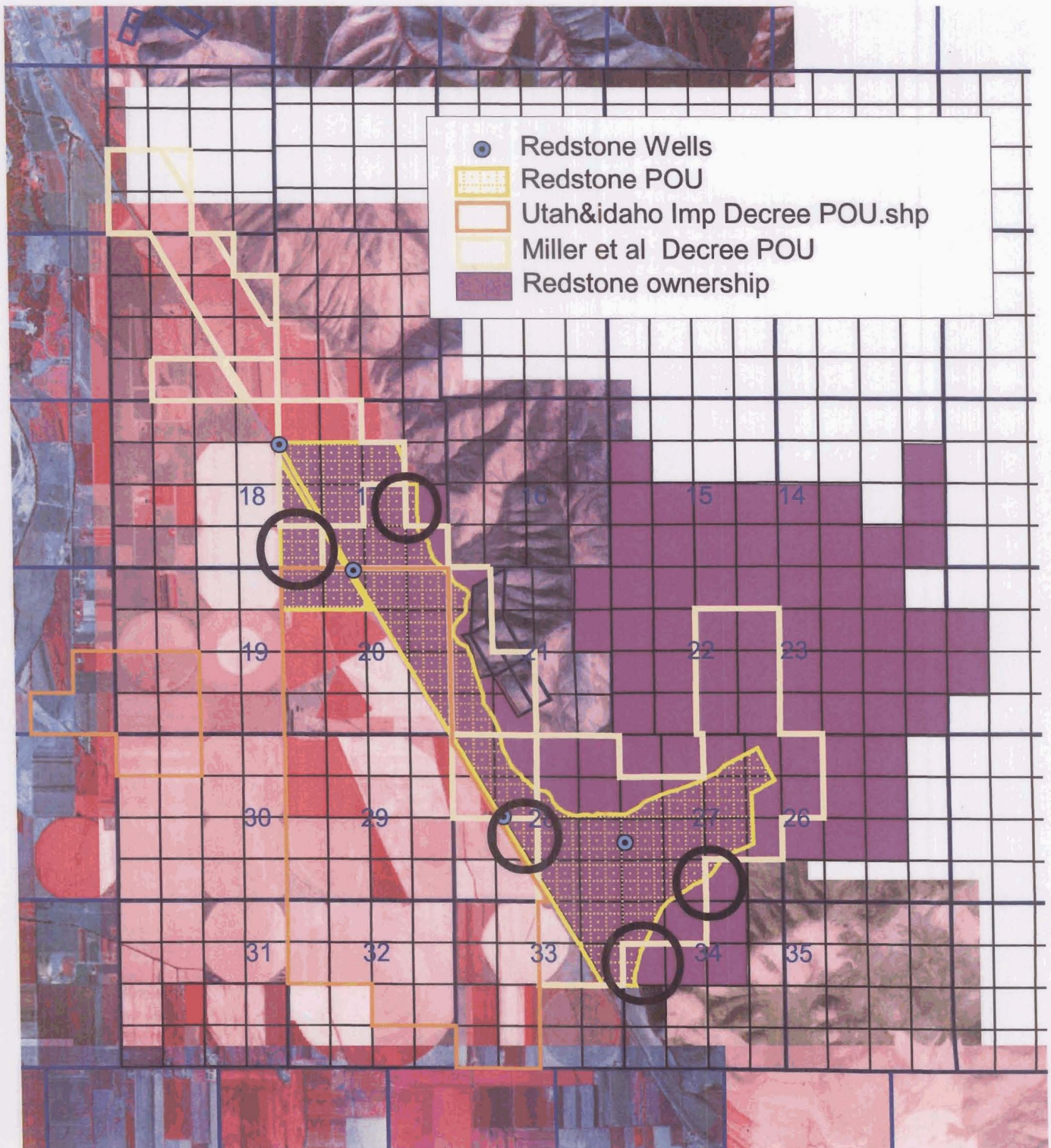
-  Section Lines
-  Quarter/Quarter Lines
-  Place of Use
-  Point(s) of Diversion



GIS PLACE OF USE PRESENTATION
PHOTOGRAPHY: 94 NAIP
DATA ENTRY: 11/21/2006
DOUGLAS JONES

Redstone Partners

Surface Water Issues



- Section Lines
- Quarter/Quarter Lines
- Place of Use
- Point(s) of Diversion



GIS PLACE OF USE PRESENTATION
 PHOTOGRAPHY: 94 NAIP
 DATA ENTRY: 11/15/2006
 DOUGLAS JONES

Recommendation Number 37-2625A V1

EXP Right split into 37-2625A and 37-2625B by Transfer 3438.

Not E55 Right Nos. 37-2638 and 2700 are limited to the irrigation of a combined total of 842.1 acres in a single irrigation season.

QNT E52 The rights listed below are limited to a total combined diversion rate of 21.85 cfs.

Combined Right Nos.: 37-2625A, 37-2638, 37-2700 and 37-21463.

EXP C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

EXP C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

37-104 If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

37-065 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

Right Nos. 37-2625A, 37-2638, 37-2700 and 37-21463 are limited to the irrigation of a combined total of 1420.5 acres in a single irrigation season.

Right Nos. 37-481B, 37-482G, 37-483B, 37-665K, 37-666J, 37-667N, 37-2625A, 37-2638, 37-2700 and 37-21463 are limited to the irrigation of a combined total of 1435.1 acres in a single irrigation season.

EXP K01 Right No. 37-21463 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

QNT The rights listed below are limited to a total combined diversion rate of 7.96 cfs.

Combined Right Nos.: 37-2526A and 37-21463.

2625A
my acres of 12-14-06 2:50 pm = 1368.7



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION
11-29-2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

James Speck
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

RE: Redstone Partners SRBA Claims

Dear Jim,

Review of the claims was more difficult than I anticipated, coupled with the immense effort under way in the office. Please forgive the delay in responding to your request for input.

Attachment 1 portrays the place of use as I am proposing to go forward to recommendation with. All told, from all sources the place of use was found to be 1437.1 acres. The decimal acres derives from the rounding of acres to 1/10th acre for those tracts with less than 10 acres irrigated and to whole acres for 10 acres and more.

Review of surface water claims indicates that there are 1342 acres being irrigated within the decreed place s of use owned by Redstone under the original Annie Miller et al and Utah & Idaho Improvement lands included in Frost. U&I's land accounts for 263 acres and Miller's accounts for 1079 acres. Attachment 2 shows circled areas under Redstone ownership that were not part of the Frost-described lands receiving water right awards. All other enlargement areas from surface water are within the decreed palce of use and are included in the 1342 acres. These areas total 95.1 acres and need to be claimed in an enlargement claim for Big Wood River water with a priority date sometime junior to the Frost Decree date. All variable fees are already paid so the flat fee of \$100 is all that would be due for the claim – no late fee applies.

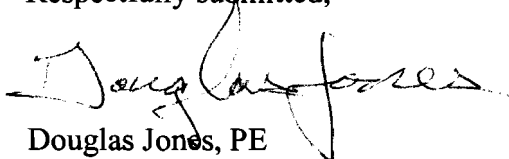
Ground water-source claims were the most difficult to comprehend, as you may recall from our conversations. Appropriately Redstone has filed an enlargement claim for ground water use on 194 acres. However, within the area claimed there were actually 207.5 acres irrigated. In addition, each of the licensed places of use for 37-2625 and 37-2638 (as accomplished transferred) contained enlarged acres of 13.5 and 3.6, respectively. Furthermore, there were another 14.6 acres found in other parts of the property. Counter balancing that is a bone-head license exam for 37-2700 that accounted for acres supposedly on the slopes and on top of ridges! I found that instead of 494 acres 37-2700 actually has 369.2 acres.

My proposal for ground water recommendations is a compromise of sorts. I propose to recommend the full flow rate for 37-2700 (9.88 cfs) and include with the 369.2 acres all those other "enlargements" to total 414.1 acres. Then all ground water would be on a total of 1437.1 acres.

One thing I don't understand is the degree of interconnectivity in the irrigation system – between surface and ground water and between the wells. Perhaps you can briefly describe the commingling via a diagram of the irrigation water distribution system. I am not averse to recommending a permissible place of use, but would like to understand the system and document the file.

Thanks for your attention to this and look forward to hearing back from you soon.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Douglas Jones". The signature is fluid and cursive, with a large initial "D" and a long, sweeping underline.

Douglas Jones, PE
Water Rights Supervisor
Southern Adjudication Unit

CLAIM NUMBERS 37-2625 _____

DATE _____
 AGENT _____

TRANSFER NUMBER _____
 HOMESTEAD ENTRY NO. _____
 CLAIMED ACRE TOTAL _____
 GEOGRAPHIC INFO ACRES _____

				NE				NW				SW				SE				
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM			27									40	40	40	26					146
GIS												40	40	40	30					150
RECOM																				
CLAIM			28									20				40	40	34	40	174
GIS												22			2.2	40	40	36	40	180.2
RECOM																				
CLAIM			33	40	14		27													81
GIS				40	14		30													84
RECOM																				
CLAIM																				
GIS																				
RECOM																				

B37-POU.SHP

SHAPE NOS.

$$Q = 8 \text{ cfs}; \text{ Vol} = 1403.5 \text{ afa}$$

$$POU = 401 \text{ w/in PPU}$$

$$A: 399 \quad 7.96 \quad 1396.5$$

$$B: 2 \quad 0.04 \quad 7.0$$

B37-POD.SHP

NOS. DESCRIPTION

Claim Found

401 414.2

428 431.6

494 369.2

194 207.5

1517 1422.5

Σ claim

DBF TABLES UPDATED

B37-DBPOU.DBF

B37-DBPOD.DBF

JPEG LAYOUT

Jones, Doug

From: Jones, Doug
Sent: Tuesday, January 20, 2004 8:57 AM
To: 'Jim Speck'
Cc: Tuthill, Dave; Merritt, Allen
Subject: RE: RE: Beevers/Cove Ranch

Redstone 37-481B

Thanks for your reply Jim, I'll be seeing Dave later today and this is a timely reminder for me. For discussion purposes I'll make a try at what I am thinking.

I think you and I are fully in agreement that IDWR will review the extent of irrigation within the decreed tracts as it exists in 1987. For example a person has a decreed right for 1.5 cfs described in three 40-acre tracts. The ditch follows a contour and 20 acres in one tract lies elevationally above the ditch. Aerial photography from 1987 indicates that 100 acres are presently being irrigated below the ditch and is claimed. We may suspect that less than 100 acres were being irrigated at the time of decree, but our direction is to recommend the 100 acres based on 42-1427. There may be other caveats to this conclusion: for instance, the decree specifically defines the duty of water as 1 inch per acre, then we would recommend 75 acres in the above case. The Frost Decree is silent as to duty of water I believe.

Where we may have different perspectives is with regard to the reading of the annotation in 42-1427 that indicates that the statute was constitutional because it did not provide for enlargement. In the above example if now the entire 120 acres are irrigated and claimed, I believe that the 20 acres are an enlargement and would need the enlargement claim. We would recommend 100 acres within the 120 acre permissible place of use (20 acres would have to be idled if not claimed and recommended as enlargement) If additional tracts are now included in the claim, then those tracts are enlargement and would need a separate claim.

Again, this was written for discussion and clarification purposes. I shall share this correspondence stream with Dave, and several other Region and State Office staff and attorneys, today. Thanks for your timely interest and refreshingly cogent inquiry on this matter and I'll look forward to further dialogue.

Doug

-----Original Message-----

From: Jim Speck [mailto:jimspeck@cox-internet.com]
Sent: Monday, January 19, 2004 5:27 PM
To: 'Jones, Doug'
Cc: sdb48@earthlink.net; jme@sunvalley.net; dtuthill@idwr.state.id.us
Subject: RE: RE: Beevers/Cove Ranch

Doug,

This will follow up on our telephone conversation discussing your e-mail below. I read the provisions of I.C. 42-1427 somewhat differently. One of the requirements of I.C. 42-1409 is that the elements of an irrigation water right include the number of irrigated acres in each 40 acre tract. The Cove Ranch water rights diverted from the Big Wood River were all decreed in the Frost Decree without a description of this element. I.C. 42-1427(2) states that "the director SHALL include in his report recommendations for those elements not defined by the prior license or decree BASED ON THE EXTENT OF BENEFICIAL USE OF THE WATER RIGHT AS OF THE DATE OF COMMENCEMENT OF AN ADJUDICATION." (Emphasis added). The policy reasons for this mandate are set out in I.C. 42-1427(1). There is no provision for the Department to attempt to determine the number of irrigated acres in each 40 acre tract by some other method no matter how reasonable it might seem. In fact the statute clearly states it is in the public interest

to look only at the conditions existing at the commencement of the SRBA.

I understand you are going to discuss this with Dave Tuthill. I have taken the liberty of copying him on this e-mail to expedite that process. Thank you once again for all your hard work on this matter.

Jim

James P. Speck
SPECK & AANESTAD
A Professional Corporation
120 East Avenue
P.O. Box 987
Ketchum, ID 83340
208.726.4421
208.726.0752 (fax)
jimspeck@cox-internet.com

CONFIDENTIAL COMMUNICATION

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-----Original Message-----

From: Jones, Doug
Sent: Tuesday, January 13, 2004 9:19 AM
To: 'Jim Speck'

Jim,

Very roughly, the estimated irrigated area is about 1440 acres. This figure may include small areas not irrigated and may exclude small areas that are irrigated.

The following discussion is offered to you so you may be prepared to assist your various clients as needed: As you know the claims may or may not be recommended as claimed based on a number of factors. For instance, if irrigation is occurring on lands higher in elevation than the delivery ditches existing in 1909, then these areas may represent enlargement and would require a separate claim. The original statutes authorizing the SRBA included 42-1416 and it's various sections and subsections. These were referred to as presumptions and most of them were found unconstitutional and replaced with 42-1426. The presumption applicable here is the where decree right holders could claim the enlargement acres in the SRBA under their decreed priority. Since this is no longer the case IDWR will only recommend the reasonable acreage irrigated under the 1909 system and request a beneficial use enlargement claim with a priority of the accomplished enlargement (with evidence documentation - ouch!). If you have questions on this we can surely continue a dialogue.

Thank you for your patience and responsible efforts on behalf of your clients. Talk to you soon!

Doug

-----Original Message-----

From: Jim Speck [mailto:jimspeck@cox-internet.com]
Sent: Tuesday, January 06, 2004 10:29 AM

To: 'Mr. Doug Jones'
Cc: 'Mr. Steven D. Beevers'; 'Ms. Jan Edelstein'
Subject: Re: Beevers/Cove Ranch

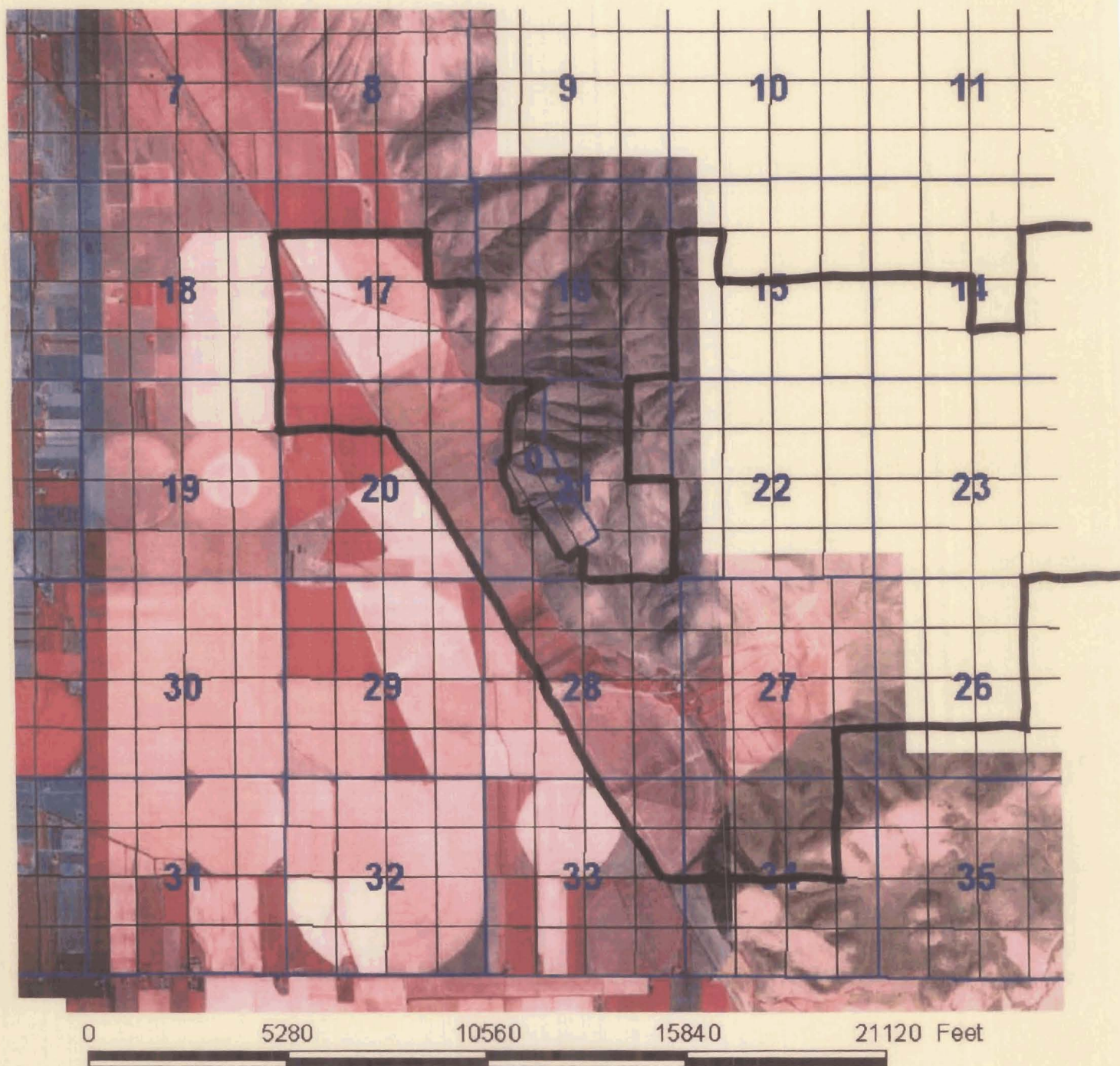
Doug,

Here is the GIS map prepared by Vicki Hancock on which I have overlaid the Cove Ranch boundaries. Can you do a best estimate of the irrigated acres within the Ranch boundaries so we can compare it to the SRBA claims filed by the owners? As you know, my clients are in escrow to purchase the Ranch. Please call if you have any questions about this request and thanks once again for all your help in these matters.

Jim

James P. Speck
SPECK & AANESTAD
A Professional Corporation
120 East Avenue
P.O. Box 987
Ketchum, ID 83340
208.726.4421
208.726.0752 (fax)
jimspeck@cox-internet.com _____
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TWP 01N, RNG 19E

PREPARED BY V HANCOCK
IDWR
12-19-2003

SECTION LINES

QUARTER/QUARTER LINES [40 AC]

State of Idaho License and Certificate of Water Right

Water License No. G-28261 Amount 8.00 c.f.s.
Water District No. _____ Priority November 13, 1959

THIS IS TO CERTIFY that K. F. HELLYER
of Gannett, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated November 13, 19 59; that Permit No. G-28261
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
8.00 second feet, was issued thereunder on October 20, 19 65, showing that said works
were completed on the 17th day of November, 19 64; and that on the 17th
day of November, 19 64, K. F. Hellyer

of Gannett, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of
a well, a tributary of subterranean flow, for the purpose of supplemental
irrigation under Use Permit No. G-28261 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
13 of Licenses at page 8329, on the 20th day of October, 19 65;
The right hereby confirmed dates from November 13, 19 59;
The Point of Diversion is located

In the SE 1/4 NW 1/4, Sec. 28, Tp. 1 N, R. 19 E, B. M. Blaine County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 8.00 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
SE	19 E	27	NE 1/4 SW 1/4	40	40
			NW 1/4 SW 1/4	40	40
			SW 1/4 SW 1/4	40	40
			SE 1/4 SW 1/4	40	26
		28	NE 1/4 SW 1/4	15	20
			NE 1/4 SE 1/4	40	40
			NW 1/4 SE 1/4	40	40
			SW 1/4 SE 1/4	35	34
		33	SE 1/4 SE 1/4	40	40
			NE 1/4 NE 1/4	40	40
			NW 1/4 NE 1/4	12	14
			SE 1/4 NE 1/4	30	27
		Total number of acres to be irrigated:			401

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
20th day of October, 19 65.

RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

37 2625

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 9-28261This proof is for Completion of Works & Beneficial Use In Water District No. _____1. Name of applicant K. F. Hellyer2. Source of water supply: Subterranean3. Location of point of diversion: Is in the SE 1/4 of Section 28T. 1 N R. 19 E County of Blaine

4. Describe works as they exist, giving dimensions and capacities of same: U.S. Kollasch Motor
100 HP Ser. # 1216315
Pump Byron Jackson Ser. # 372469
Discharge 12" with air valve - 125" check valve To Y North to 48" x 25' culvert over
West fork To open discharge into open dirt ditch

5. Water is used for: supplemental irrigation6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

NE 1/4, SE 1/4 Sec. 26., SE 1/4 Sec. 27., NE 1/4, SE 1/4 Sec. 33 all in Twp. 1 N., Rge. 19 E

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Mr. George Hellyer along

$$X = 12", A = 43", C = 11 \frac{1}{16}"$$

$$D = 11 \frac{1}{16}"$$

$$\frac{12}{16} = .75"$$

$$Y = 12"$$

$$X = 43"$$

$$GPM = 0.818 D^2 X$$

$$0.818 \times 3.428 \times 43 = 4854 GPM \div 9 = 539.33 \text{ inches} = 10.78 \text{ ft}$$

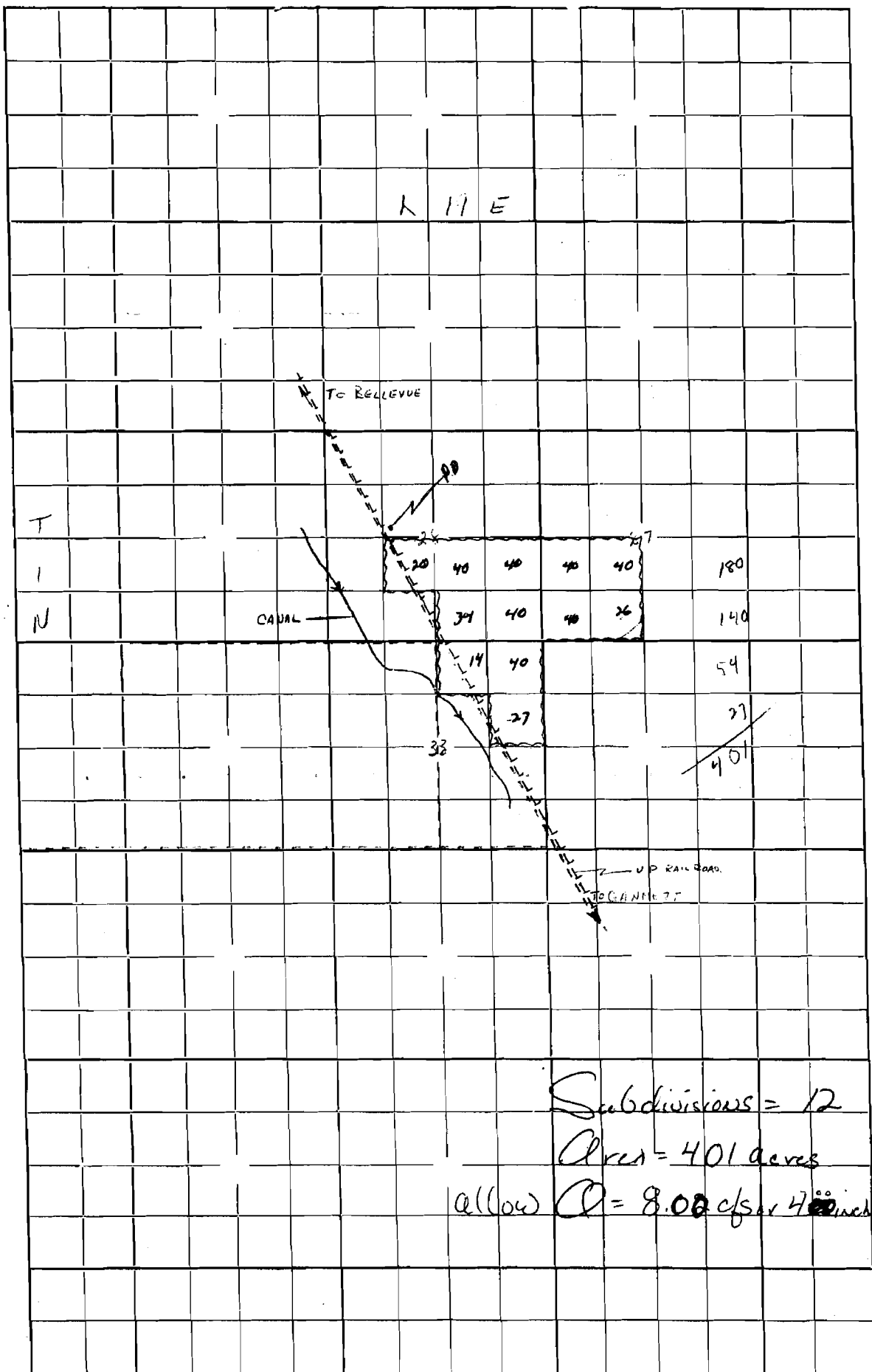
See Map G 28910

This examination was made on the _____

day of Sept, 19 65

(Signed) _____

Donald W. McElroy
Engineer



Subdivisions = 12

Area = 401 acres

allow $Q = 8.00$ cfs at 4.00 inches

31-21-15

APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 36226
Permit No. G- 28261
District No.

1. Name of Applicant: K. F. Hellyer

Postoffice address: Box 164, Sun Valley

County: Blaine

State: Idaho

2. Quantity of water claimed:

(a) Rate of withdrawal in cubic feet per second 8 or Idaho
Miners' inches 400 or gallons per minute

(b) Annual withdrawal in acre feet per annum

3. Source of water supply: Drilled well

4. Location of point of diversion or well is in the SE 1/4 of the NW 1/4 of Section 28
Twp. 1 N , Rge. 19 E , B.M., County of Blaine

5. Water is to be used for: Supplemental Irrigation

6. If for municipal, industrial or recreational purposes, give:

(a) Point of use of water is in the 1/4 of the 1/4 of Section , Twp.
Rge. , B.M.

(b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.

7. Kind of works: Drilled cased well - turbine pump

8. Estimated cost of works: \$9000.00

9. (a) Is reservoir to be used? No

(b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.

11. If applicant is a corporation, give:

I. (a) Date and place of incorporation:

(b) Amount of capital stock: \$

(c) Amount paid in: \$

(d) Names and addresses of directors:

II. The financial resources of the applicant are (a) Cash on hand: \$

(b) Treasury stock:

(c) Bonds to be issued:

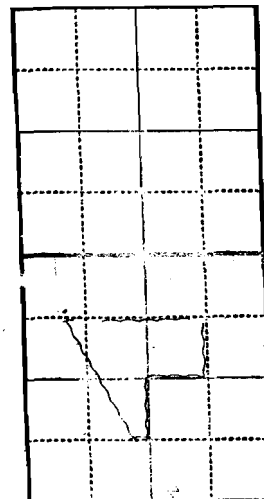
(d) Other resources:

12. The land to be irrigated is described in the following tabulation:

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: (683.3" - 8-1-82)
(543.4" - 8-1-84) - (103"-10-15-84) - (55.0"-6-12-86) - (117"-6-15-91) - (3400.0"-8-1-02)

(a) 400 inches (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.

(b) (cubic feet per second, inches or gallons per minute) is for new lands.



**SPECIAL POWER OF ATTORNEY
(WATER RIGHTS)**

NMS LEASING, INC., an Idaho corporation (the "Corporation"), designates and appoints JAMES P. SPECK, of Ketchum, Idaho, as the Corporation's attorney in fact and agent (subsequently called "Agent") to act in the Corporation's name and for the Corporation's benefit for the specific purposes stated herein only. The Corporation grants to its Agent full power and authority to do everything necessary in exercising any of the powers herein granted as fully as the Corporation might or could do if personally present and fully competent, hereby ratifying and confirming all that the Corporation's Agent shall lawfully do or cause to be done by virtue of this Special Power of Attorney and the powers herein granted.

1. SPECIFIC GRANT OF POWER. The Corporation's agent shall have power to exercise or perform any act, power, duty, right or obligation whatsoever that the Corporation now has or may hereafter acquire, RELATING ONLY TO the preparation and filing of claims for water rights in Twin Falls County District Court Civil No. 39576, In Re the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System, and the preparation and filing of applications for permits to or transfers of water rights, or claims to water rights, with the Idaho Department of Water Resources.

2. REVOCABILITY. This Special Power of Attorney is revocable, provided, that insofar as any governmental agency, bank, trust company, insurance company, transfer agent, or other person shall rely upon this power, this power may be revoked only by a notice in writing executed by me or the Corporation's Agent and delivered to such person or institution.

3. INTERPRETATION. This instrument is to be construed and interpreted as a Special Power of Attorney and shall be limited in accordance herewith.

4. THIRD-PARTY RELIANCE. Third parties may rely upon the representations of the Agent as to all matters relating to any power granted to the Corporation's Agent, and no person who may act in reliance upon the representations of the Agent or the authority granted to the Corporation's Agent shall incur any liability to the Corporation as a result of permitting the Agent to exercise any power.

RECORDED
FEB 23 1993

5. GOVERNING LAW. This Special Power of Attorney is executed and delivered in the State of Idaho and the laws of the State of Idaho shall govern all questions as to the validity of this power and as to the construction of its provisions.

6. COUNTERPARTS. This Special Power of Attorney may be executed in counterparts. Each executed counterpart of this Special Power of Attorney shall have the force and effect of this original.

IN WITNESS WHEREOF, the Corporation has executed this Special Power of Attorney this 20 day of OCTOBER, 1988.

NMS LEASING, INC.

By: Thomas J. Macdonald
Thomas J. Macdonald
Secretary - Treasurer

STATE OF HAWAII)
City & County of Honolulu) ss.

On this 20 day of October, 1988, before me, the undersigned notary public in and for said state, personally appeared Thomas J. Macdonald known to me to be the secretary - treasurer of the corporation whose name is subscribed to the within Special Power of Attorney, 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 first above written.

Linda Shaw
Notary Public for
Residing at: Honolulu, Hawaii
Notary Public, First Judicial Circuit
State of Hawaii
My commission expires 7/4/92

Water Right Number - 37-02625A Adj. Flag Translation: Standard Water Right Number Old (D) Number - 28261

- - - - - Last Name - - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
HELLYER

K. F.

1 - HIGHWAY 68
2 -
3 -
City- GANNETT
Phone - 208-000-0000

State- ID Zip- 83329

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
11/13/1959 17 L - LICENSE

+ - - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

TwN	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Stream Index (Blank if no Index Code)
01N	19E	28	SE NW			(13) BLAINE		

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	11/01		7.960	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
7.960

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
01N	19E	27	NE SW		40.0	01	IRRIGATION	(13) BLAINE
01N	19E	27	NW SW		38.0	01	IRRIGATION	(13) BLAINE
01N	19E	27	SW SW		40.0	01	IRRIGATION	(13) BLAINE
01N	19E	27	SE SW		26.0	01	IRRIGATION	(13) BLAINE
01N	19E	28	NE SW		20.0	01	IRRIGATION	(13) BLAINE
01N	19E	28	NE SE		40.0	01	IRRIGATION	(13) BLAINE
01N	19E	28	NW SE		40.0	01	IRRIGATION	(13) BLAINE
01N	19E	28	SW SE		34.0	01	IRRIGATION	(13) BLAINE
01N	19E	28	SE SE		40.0	01	IRRIGATION	(13) BLAINE
01N	19E	33	NE NE		40.0	01	IRRIGATION	(13) BLAINE
01N	19E	33	NW NE		14.0	01	IRRIGATION	(13) BLAINE
01N	19E	33	SE NE		27.0	01	IRRIGATION	(13) BLAINE

Total Acres: 359.0

FEB 23 1993
DIVERSION MEANS -
NON-IRRIGATION USE -
OTHER RIGHTS FOR SAME USE -

399 Data entry error
Check License

Water right number - 37-02625A Adj. flag translation: Standard Water Right Number

+ - - - - Remarks - - - - -
No Remarks found.

+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Microfilm Rolls -

+ - - Audit Fields - 09/29/88 CURTIS

+ - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Start Work Date - 00/00/0000	Verified Date - 05/06/1985	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District -
Licensed Date - 05/15/1979	Appl Received - 00/00/0000	Transfer/Amended -
Decree Date - 00/00/0000		

RECEIVED
FEB 23 1989

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME NMS Lasins CLAIM NO. ENT. NO. A37-02625A

DATE RECEIVED 10-27-88 CK # 8664 AMOUNT \$ 2167 13
YES NO

1. Is the name and address complete with zip code? ✓

2. Is a priority date entered? ✓

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?
A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS. ✓

3. (a) Is a source entered? ✓

(b) Is a tributary to entered? (if required) N/A ✓

4. Is the legal description of the p.d. sufficient? ✓

5. Is there a description of the diverting works? ✓

6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ✓

Is the period of use included? ✓

Is a quantity claimed for each use? ✓

7. Is a total quantity claimed entered? ✓

8. If required is a consumptive use entered? N/A ✓

Is the consumptive use correct? N/A ✓

9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A ✓

10. Is (are) the place(s) of use and purpose(s) indicated? ✓

11. Is (are) the county(ies) entered? ✓

12. Is the ownership of p.u. checked? ✓

13. Are other water rights listed or "none" indicated? ✓

14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A ✓

15. Is the basis of the claim indicated? ✓

16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) ✓

Has the claim been signed, sealed, and dated by a notary? ✓

Was this claim filed on time, or was an extension granted? ✓

Is the fee enclosed correct? Exempt ✓

If this claim is based on an existing water right, has the identification number been entered? N/A ✓

Should this claim be receipted and data entered? ✓

Claim checked by: [Signature]

Comments: _____

FEB 23 1993

any questions arise during the processing of this application please contact:

SHERRILL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Transfer No. 3438
RECEIVED

FEB 19 1988

APPROVED

OCT 1987

Name of applicant WMS Leasing, Inc. c/o First Security Bank/Trust Phone 338-2020
Post Office address P.O. Box 2618, Boise, Idaho 83701

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Addition of one point of diversion and show change in ownership to reflect actual conditions.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|-----------------|----------|--------------------|---------------|----------------|
| 37-2625 | 11/13/59 | .04 | Irrigation | 4/1 to 11/1 |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred .04 cubic feet per second and/or 6 acre-feet per annum.
3. Source of water Ground Water tributary to N/A
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NW	28	1N	19E	Blaine	None
	NW	NW	SW	27	1N	19E	Blaine	New well

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
1N	19E	27									2								2

MICROFILMED
FEB 23 1993

PART 1

6. General Information:

- a. Description of diversion system The two acres included in this transfer is presently irrigated by the new well with automatic controls. In emergencies, however, the property may still be irrigated from the original PD. Both systems are for sprinkler systems.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes XX No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
None - the transfer is being made to reflect existing conditions. No increase in the diversion rate or acres irrigated will occur.
- d. Remarks:
The transfer is made to reflect changes in ownership due to Trust modifications and the addition of a new P.D. The farm ground is owned by NMS Leasing, Inc., the two acre residential area by Cove Ranch, Inc. Warranty deeds are attached.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-2625B
 And said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 11 day of August

[Signature]
 Chief, Operations Bureau

RECEIVED
 FEB 23 1993 88

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 37-2625 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. None which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

3. Source of water Ground Water tributary to N/A

4. Date or priority November 13, 1959

5. Water is used for the following purpose:

amount 8.00 for Irrigation purposes from unspecified to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 8.00 cubic feet per second and/or 1203 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NW	28	1N	19E	Blaine	None

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
1N	19E	27									40	40	40	26					146
1N	19E	28									20				40	40	34	40	174
1N	19E	33	40	14		27													81

Total acres _____

9. Describe any other water rights used for the same purpose as described above None

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10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount .04 cfs/6 ac.ft. for Irrigation purposes from 4/1 to 11/1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NW	28	1N	19E	Blaine	

3. Lands irrigated or place of use:

Twp.	Rge.	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	
1N	19E	27										2							2

Total acres 2**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 7.96 for Irrigation purposes from 4/1 to 11/1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NW	28	1N	19E	Blaine	None

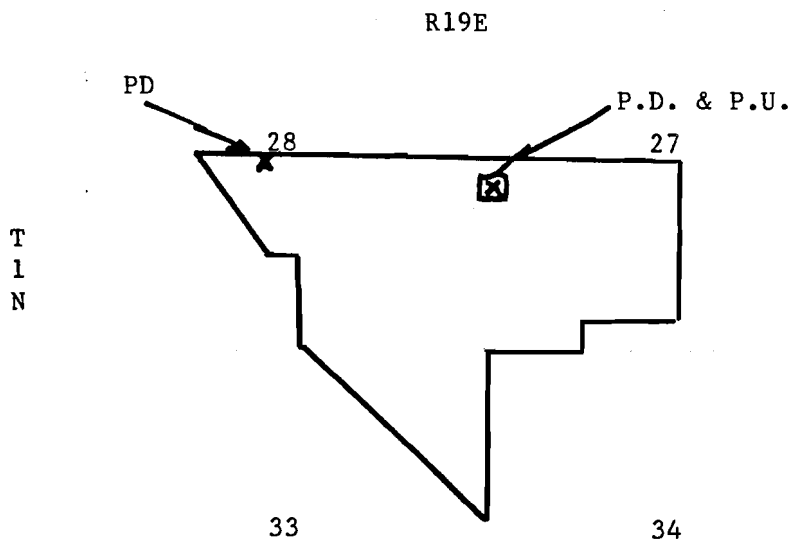
3. Lands irrigated or place of use:

Twp.	Rge.	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	
1N	19E	27									40	38	40	26					144
1N	19E	28									20				40	40	34	40	174
1N	19E	33	40	14		27													283

Total acres 399

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



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PART 3**B. CHANGES IN NATURE OF USE**

1.	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to _____
				to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

First Security Bank of Idaho, N.A.
Alvin R. Hagler, App. T.O.
 Signature of Applicant)

Subscribed and sworn to before me this 8TH day of FEB, 19 88

Susan K. Evans
Murfreesboro, Idaho (Notary Public)

My commission expires 11-13-93

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 10 attachments

Received by M. Baldwin Date 4/6/88 Protest filed by _____

Prelim. check by ADM 9/12/88 Rec'd 4/6/88 Fee 30.00 - CA 2962

Received by MB 5000072 Date 4/13/88

Published in Wood River Journal Copies of protest forwarded by _____

Pub. dates 7/6 + 7/13/88 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by Jim

Copy of transfer sent to lien holder _____

RECORDED
 FEB 23 1993