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December 13, 2007

Andrea Courtney
Idaho Department of Water Resources
PO Box 83720
Boise, ID 83720-0098

Dear Andrea:

Enclosed with this letter are copies of the Deposition exhibits from the Myra E. Miller deposition. Thank you again for your courtesies in this matter.

Yours very truly,

Kent W. Foster

Enclosure

G:\WPDATA\KWF\12255 Seaberg, Glen & Cathy\Andrea Courtney fir 121307.wpd.cdv

RECEIVED

DEC 17 2007
DEPARTMENT OF
WATER RESOURCES

Exhibit No. 1
Date: 12-12-07
Miller
T&T REPORTING

547.

Instrument No. 85276

WARRANTY DEED

THIS INSTRUMENT, Made this 2nd day of August in the year of our Lord one thousand nine hundred and fifty-six, between JOHN A. GOODMAN and MINNIE Z. GOODMAN, husband and wife, of the County of Lemhi State of Idaho, the parties of the first part, and CLARENCE C. MILLER and MIRIA E. MILLER, husband and wife, of the County of Lemhi State of Idaho, the parties of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of TWELVE THOUSAND AND NO/100 (\$12,000.00) DOLLARS, lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all of the following described real estate, situated in the County of Lemhi, State of Idaho, to-wit:

A piece of land lying, being and situated in Section Ten (10) and Section Fifteen (15), Township Twenty-one (21) North, Range Twenty-two (22) East of the Boise Meridian, and more particularly described as follows, to-wit:

The Southwest Quarter of the Southeast Quarter (SWSE1/4) of Section Ten (10); Also, a fraction of the North Half of the Northwest Quarter (NWNW1/4) of Section 15, described as follows: Beginning at the intersection of the North line of said Section 15 and the Northerly right-of-way of Idaho Highway No. 28, run East 2250 feet, more or less, to the North one-quarter corner of said Section 15; thence South along the East line of the said NWNW1/4 of Section 15, 1320 feet, more or less, to the Southeast Corner of the said NWNW1/4 of Section 15; thence West, along the South line of the said NWNW1/4 of Section 15, 450 feet, more or less, to the Northerly right-of-way line of said Idaho Highway No. 28; thence North 54°30' West along the said Northerly right-of-way line 2300 feet, more or less, to the place of beginning.

Together with all water, water rights, ditch and ditch rights appertaining thereto or used in connection therewith, including three cubic feet per second of time of the waters of the Lemhi River through the Andrews Ditch, decreed June 20, 1911 and recorded in Book "B" of Judgments at pages 59 to 63 inclusive of the Records of Lemhi County, Idaho.

Documentary Stamps \$13.20

Cancelled

FC

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the parties of the second part, and to their heirs and assigns forever and the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said parties of the second part their heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

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

SIGNED, SEALED AND DELIVERED IN
PRESENCE OF

John A. Goodman (SEAL)
Minnie Z. Goodman (SEAL)

STATE OF IDAHO, } ss.

COUNTY OF LEMHI }

On this 16th day of August in the year 1956, before me the undersigned, Fred L. Crank, a Notary Public in and for said State, personally appeared John A. Goodman and Minnie Z. Goodman, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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

(SEAL)

Fred L. Crank

Notary Public for the State of Idaho
Residing at Salmon, Idaho

STATE OF IDAHO }

COUNTY OF LEMHI }

I hereby certify that this instrument was filed for record at request of J. W. Heardon at 10 minutes past 2 o'clock P.M., this 4th day of September, A.D. 1956 in my office and duly entered in Book 17, Page 111.

Warranty Deed

For Value Received

MYRA E. MILLER, A SINGLE PERSON

the grantor, do hereby grant, bargain, sell and convey unto

GLENN A. SEABERG AND KATHY E. SEABERG, HUSBAND AND WIFE

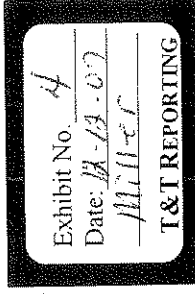
whose current address is

P.O. Box 471
Salmon, ID 83467

the grantee, the following described premises, in Lemhi

County Idaho, to wit:

SEE ATTACHED EXHIBIT "A"



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

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

Dated: December 2, 1994

Myra E. Miller
Myra E. Miller

STATE OF IDAHO, COUNTY OF Lemhi
On this 2nd day of Dec. 1994
before me, a Notary Public in and for said State, personally appeared

Myra E. Miller

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

Laurie M. Santee
Laurie M. Santee
Residing at Salmon, ID
Comm. Expires 6/19/1995
Notary Public
Idaho

State of Idaho) 224902
County of Lemhi) ss. No.
This instrument was filed for record
the request of American Land Title
as 1:31 o'clock P.M. 12-16-1994
and duly filmed and indexed in the
records of Lemhi County
Alberta Wiederrick
Recorder
Laurie M. Santee
Notary Public
Idaho

∞

EXHIBIT "A"

A PARCEL OF LAND LOCATED IN THE N 1/2 NW 1/4, SECTION 15, T. 21 N., R. 22 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NW CORNER OF SAID SECTION 15, RUN THENCE N. 89 DEGREES 31' 38" E. ALONG THE NORTHERLY BOUNDARY OF SAID SECTION 15, A DISTANCE OF 2333.56 FT. TO THE POINT OF BEGINNING.

THENCE CONTINUING N. 89 DEGREES 31' 38" E. ALONG SAID BOUNDARY A DISTANCE OF 301.54 FT. TO THE N 1/4 CORNER OF SAID SECTION 15;

THENCE S. 00 DEGREES 01' 12" E. ALONG THE EASTERLY BOUNDARY OF SAID N 1/2 NW 1/4, A DISTANCE OF 543.72 FT.;

THENCE N. 54 DEGREES 21' 00" W. A DISTANCE OF 734.38 FT.;

THENCE N. 35 DEGREES 31' 00" E. A DISTANCE OF 507.67 FT. TO THE POINT OF BEGINNING.

/

SUBJECT TO A 30 FOOT ROAD EASEMENT TO THE NORTH FOR INGRESS AND EGRESS FOR ALL ADJACENT AND ADJOINING PROPERTY OWNERS.