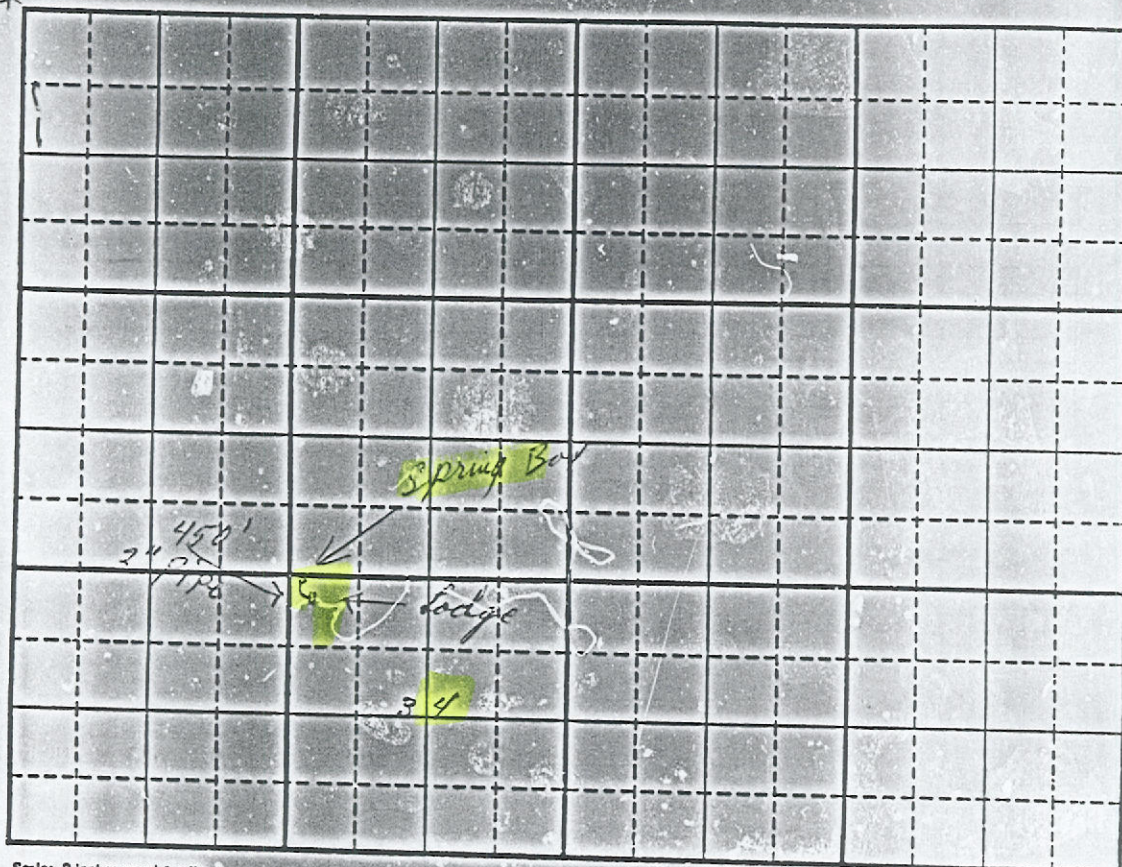


(8) Remarks

Spring Box is located 450' South West
of Lot 75 of Div. Plat. Block C



Scale: 2 inches equal 1 mile.

* Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of ~~Idaho~~ Washington)

County of Stevens) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 6th day of March, 1984.

W. Emory Smith
(Claimant)

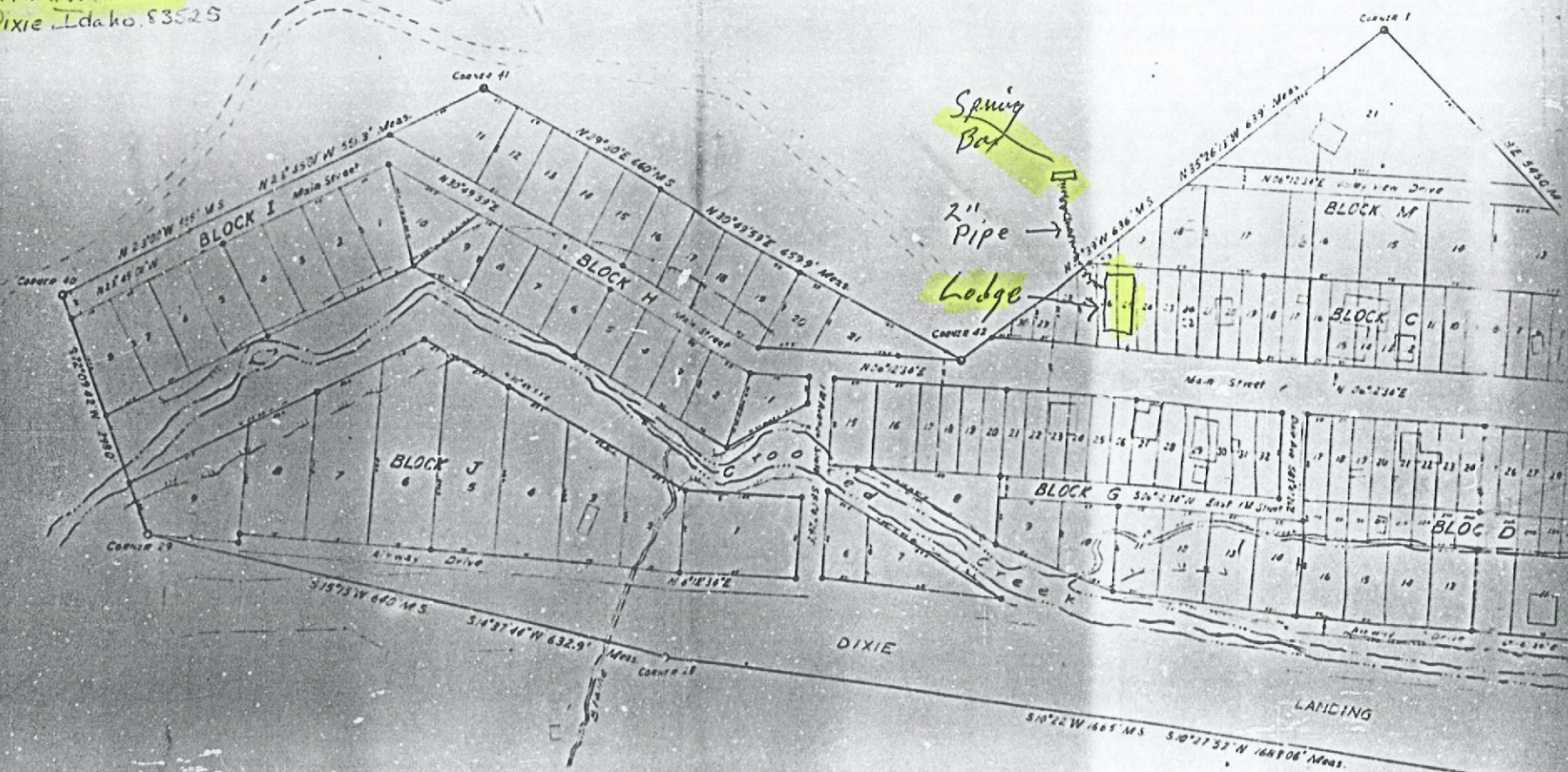
Robin Chapman
Notary Public
Residing at Chewelah, Washington

My commission expires 6-10-86

MAILED 4/29/83 P.M.
3-15-84 FOR DEPARTMENT USE ONLY
Received by SAC Date 2-1-83
Prelim. check by JLP Date 3-27-84
\$30.00 fee received by JP Date 7/15/83 #206908
Published in Idaho County Free Press
Dates 4/25 & 5/2/84

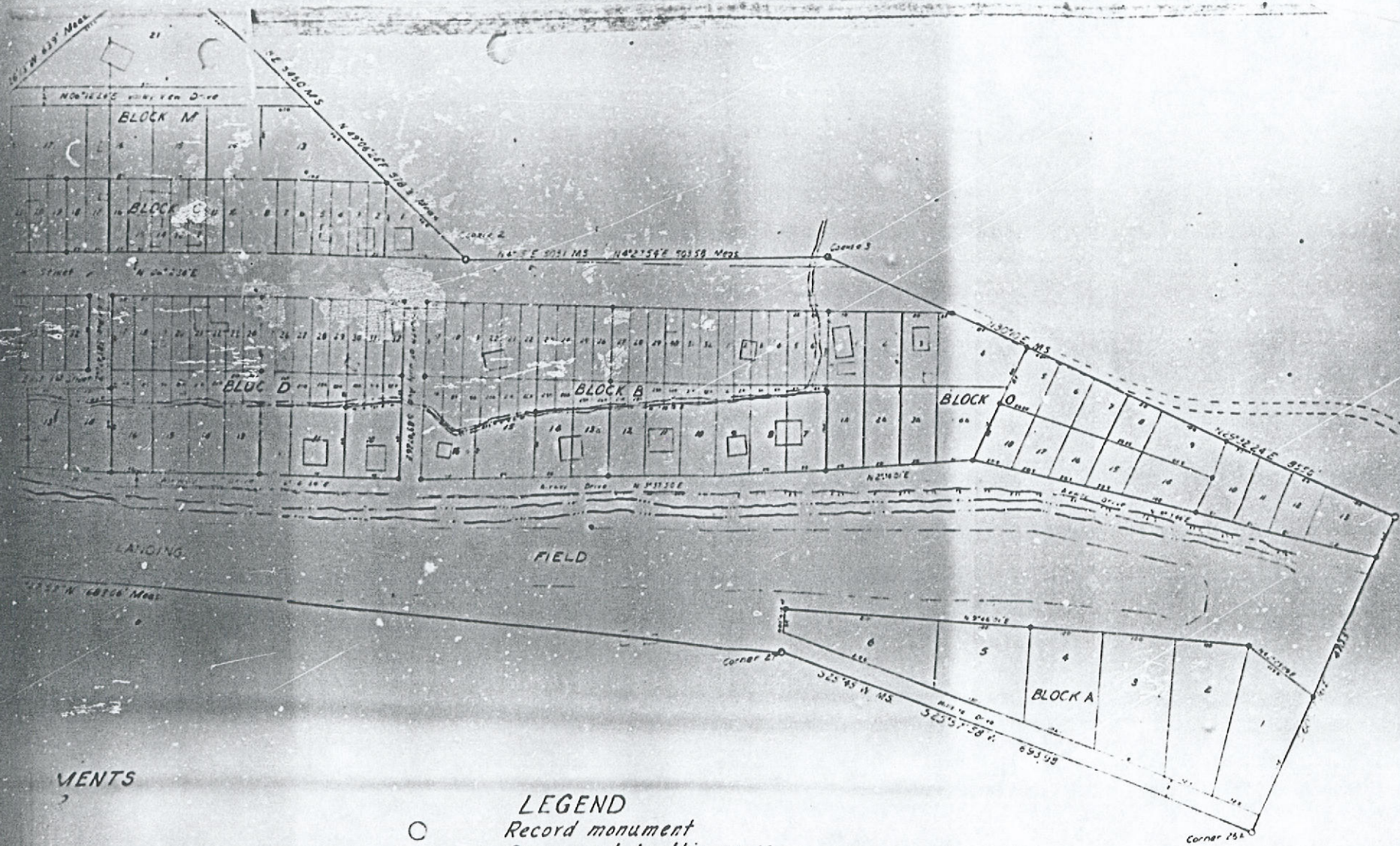
Forwarded to
claimant by: Date

Dixie Outfitters
Emmett & Cora Smith
Dixie, Idaho, 83525



NOTES:

LIST OF DEEDS



LEGEND
 Record monument
 Corner set by this survey
 Building

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 77-4216
Date Received: 7/25/1988
Receipt No: W000528
Received By:

NOT

5/3/02

1. Name of Claimant(s)

DIXIE OUTFITTERS
C/O RONALD L &/OR PAT
PO BOX 33
DIXIE ID USA 83525

Change of ownership

info also sent to S.O.

2. Date of Priority: 06/01/19

as it has been decreed

3. Source: SPRING Trib. to

4. Point of Diversion:

Township Range Section

26N 08E 34

since we rec'd it

originally.

5. Description of diverting

SPRING BOX 4'X4'X8" W/2

6. Water is used for the fol

Purpose
DOMESTIC



A.F.A

7. Total Quantity Appropriat

0.04 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

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 77-4216
Date Received: 7/25/1988
Receipt No: W000528
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DIXIE OUTFITTERS
C/O RONALD L &/OR PATSY B WEST
PO BOX 33
DIXIE ID USA 83525

Phone: (208)842-2417

2. Date of Priority: 06/01/1960

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
26N	08E	34	NW	NW	NW	IDAHO	

5. Description of diverting works:

SPRING BOX 4'X4'X8" W/2" PIPELINE VIA GRAVITY FLOW TO BUILDINGS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
DOMESTIC	1/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.04 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
26N	08E	34	NW	NW	DOMESTIC	

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:

14. Remarks:

Address change & change in "c/o". DB 5/3/2002

AREA UNSURVEYED. P/D & P/U AREA APPROX.

15. Basis of Claim: Statutory Claim

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: A77-04216
Date Received: 7/25/1988
Receipt No: W000528
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DIXIE OUTFITTERS 208-842-2417
Address: C/O EMMETT SMITH
DIXIE, ID 83525
2. Date of Priority: JUN 01, 1960
3. Source: SPRING Trib. to: SINKS
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
26N	08E	34	NW	NW	NW		IDAHO
5. Description of diverting works:
SPRING BOX 4'X4'X8" W/2" PIPELINE VIA GRAVITY FLOW TO BUILDINGS.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
D/ONE MAIN LODGE AND TWO CABINS.
10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
26N	08E	34	NW	NW		DOMEST	
11. Place of use in counties: IDAHO

A77-04216

Page 1

Date: 07/25/88

MICROFILMED
OCT 05 1992

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

13. Other Water Rights Used:
NONE

14. Remarks:
AREA UNSURVEYED. P/D & P/U AREA APPROX.

15. Basis of Claim: STATUTORY CLAIM
Water Right Number: 774216

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 Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ 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: 39576

Ident. Number

A 77-04216

Date Received

7-25-88

Receipt Number

W000528

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

Please type or print clearly

1. Name of Claimant (s) Dixie Outfitters-EMMETT SMITH Phone (208) 842-2417Mailing Address Dixie, Id 83525 Zip _____2. Date of Priority (Only one (1) per claim) JUNE 1, 19603. Source of water supply (a) SPRING
which is tributary to (b) SINKS4. Location of point of diversion is: Township 26 N Range 8 ESection 34, NW 1/4 of NW 1/4 of NW 1/4, Govt. Lot _____, B.M.,County of IDAHOAdditional points of diversion if any: NONE5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. SPRING BOX - 4'X4'X8"
W/2" PIPELINE VIA GRAVITY FLOW TO BUILDINGS

6. Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)

(Both dates are inclusive)

(cfs)

For DOMESTIC purposes from JAN 1 to DEC 31 amount 0.04 CFS

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.04 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of livestock) 1 - MAIN LODGE - 2 CABINS

MICROFILMED

Copies: White-State, Yellow-Claimant

OCT 05 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

10. Place a "D" for domestic and "S" for stockwater use in the corresponding place of use below.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4
26N	8E	34					D											

11. In which county (ies) are lands listed above as place of use located? Idaho Co.

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks: _____

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____

If applicable provide IDWR Water Right Number 77-4216
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 X do not
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) W. Emmett Smith Date July 5 1988
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am President Title

of Dixie Outfitters Inc. Organization, that I have signed the foregoing
document in the space below as President Title of Dixie Outfitters Inc. Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent W. Emmett Smith

Title and Organization Dixie Outfitters Inc. Date July 20 1988

State of Idaho/or Idaho)
County of Idaho) SS.

Subscribed and sworn (or affirmed) before me this 20th day of July 1988

SEAL

Notary Public Zilpha J. Therenzel

Residing at Dixie, Idaho

My Commission Expires 1-19-93

Last Name SMITH Ident No. _____

Copies White State Yellow Claimant
MICROFILMED

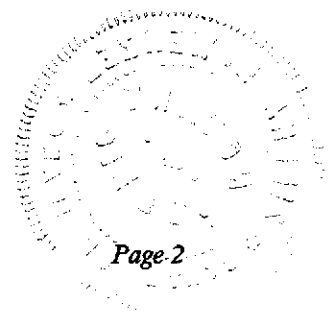
OCT 05 1992

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.



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

RECEIVED
APR 30 1999
WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

1. Water Right or Adjudication Claim No(s): 77-04216
2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - AND**
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
 - OR**
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant DIXIE OUTFITTERS % Emmett Smith
4. New Owner/Claimant(s) DIXIE ID 83525
Dixie Outfitters
% Ronald L. and/or Patsy B. West
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
 New Mailing Address P.O. Box 33
 City, State and ZIP Code DIXIE ID 83525
 New Telephone Number (208) 842-2417
5. Date you acquired the property Jan. 20, 1998
6. **If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.**
 Number of acres you irrigate _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) Ronald L West
Patsy B West
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign this form.

Dixie Outfitters, Inc.
90 Ronald West
P.O. Box 33
Dixie ID 83525
SRBA Water Right #7704216

Copy

map Attached

BUSINESS SALE AGREEMENT

THIS AGREEMENT, made and entered into on this 20th day of January, 1998, by and between DIXIE OUTFITTERS, INC., a Washington corporation duly authorized to do business in Idaho, joined by EMMETT SMITH and ZONA SMITH, husband and wife, of 2674 Dixie Creek, Road Cambridge, ID 83610, all hereinafter referred to as the Sellers, and RONALD L. WEST and PATSY B. WEST, husband and wife, joined by BRADLEY L. WEST, their son, all of P.O. Box 33, Dixie, ID 83525, hereinafter referred to as the Buyers.

WITNESSETH:

WHEREAS, concurrently with the execution of this agreement the Sellers have been operating that business known as Dixie Outfitters, Dixie, Idaho, and have made an agreement to sell the same to the Buyers upon the execution of this agreement, including certain real property associated with that business; and,

WHEREAS, included within that sale is all of the business known and operated under the firm, name, and style of Dixie Outfitters, Inc. and it is specifically understood that what is being sold is all of the common stock of Dixie Outfitters, Inc. currently held by Emmett Smith and Zona Smith, individually, being all of the issued and outstanding shares of that corporation. Furthermore, the parties individually and the corporation agree that within the corporation the assets that will go as corporate assets include the following properties:

- a) The Main Dixie Outfitters' Lodge located on Lots 25, 26, 27, 28, 29, and 30 in Block C of the Dixie Subdivision, Idaho County, Idaho;
- b) All necessary furnishings currently in the lodge, less the Smiths' own individual and personal property;
- c) Pack and riding stock currently amounting to 10 horses and 10 mules; and,
- d) Stock, tack, and gear to operate three camps.

Furthermore, this sale shall include a leasehold interest for the log storage building located on Lots 23 and 24, Block C, of the Dixie Subdivision and there shall be a lease and option as described hereinafter in relation to the property housing the

BUSINESS SALE AGREEMENT - 1

historic barn and corrals which are located on Lots 21, 22, 23, 24, 25, and 26, Block G, and the West 40 feet of Lot 10, together with the West side of the vacated road adjacent to Lots 21 through 26 and all of the vacated road adjacent to Lot 10 in said Block G of the Dixie Subdivision; and,

WHEREAS, the parties now desire to reduce their agreements to writing.

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING PREMISES IT IS HEREBY COVENANTED, PROMISED, AND AGREED AS FOLLOWS:

I.

The Sellers hereby agree to sell and the Buyers agree to buy all of that certain business known and operated under the firm, name, and style of Dixie Outfitters and shall acquire that business by acquiring all of the common stock issued and outstanding in and to Dixie Outfitters, Inc., being 1,000 shares of the stock. Within the corporation shall be those specific assets described above. It is understood that the Sellers shall execute and deliver those existing stock certificates properly endorsed to the Buyers and the corporation shall execute new stock certificates showing ownership in the Buyers as they may direct. Those stock certificates shall then be held in escrow at Forsmann Accounting Service, Cottonwood, Idaho, upon the successful payment of the sums herein mentioned. Furthermore, as additional security the corporation shall then execute Deeds of Trust of the real estate and Security Agreements as to the personal property, including the business, to the individuals Smith as and for additional security. The parties understand that concerning the common stock it will be held in escrow pending ultimate delivery when final payment is made. Uniform Commercial Code Financing Statements as to the individual pieces of equipment and to the stock as additional security will be executed in favor of the Sellers at the time of closing. Those financing statements shall be filed with the Secretary of State of Idaho. All insurable items will be properly insured with the Smiths being named as loss payees on any fire or casualty insurance policies. The parties also agree that at the time of this closing

there will be appropriate escrow instructions to Forsmann Accounting Service executed, with each party paying one-half of those initial costs and annual costs thereafter. Furthermore, a Promissory Note evidencing the debt shall be executed for the payments that are hereunder required.

II.

PURCHASE PRICE: The parties understand and agree that the total price for the property and the right to the initial leases shall be the sum of \$250,000.00, lawful money of the United States of America, payable and to be paid in the following manner, to wit:

a) By the payment of \$35,000.00 down upon the closing of this transaction, which sum includes the \$500.00 earnest money earlier deposited with Attorney Dennis L. Albers.

b) The remaining sum of \$215,000.00 shall be paid at the rate of \$18,447.70 per year which payment shall include interest at the rate of 8% per annum on the unpaid balance of principal, beginning with the first payment of such amount on or before the 1st day of December, 1998 and with a like payment of such amount on or before the same date of each consecutive year thereafter that there shall remain a balance of principal and accrued interest. However, there shall be a balloon payment of interest that has accrued and is yet remaining on the 1st day of December, 2012, at which time all payments shall be paid. Interest on the aforesaid balance of \$215,000.00 shall begin to accrue on the date of closing which is the date of this agreement. The parties understand that as of this time all conditions which were set in paragraph 6 of the Earnest Money and Conditional Agreement to Sell Outfitting Business have been met and that the Buyers are now licensed through the Idaho Outfitters and Guides Board and are in a position to receive the appropriate Forest Service Permits associated with that business. The parties understand and agree that the sale of the Wests' home, also referred to in paragraph 6, has likewise been accomplished and all contingencies are eliminated by the execution of this agreement.

III.

The parties understand that as to the real estate that is being purchased as part of this transaction the sum of \$150,000.00 is attributed to that real estate which is the portion of property housing the main lodge building. A commitment for title insurance has been secured showing good title in the corporation as to the property being conveyed and a title insurance policy shall be executed, secured, and paid for at the Smiths' expense after all recordings have been accomplished.

IV.

All real and personal property taxes that might be attributable to the real or personal property belonging to the corporation shall be prorated as of January 1, 1998 and all taxes prior to that day will be paid by the Sellers with all taxes thereafter being paid by the Buyers.

V.

The Promissory Note and Security Agreement relating to the real and personal property cannot be sold without the express written consent of the Sellers and without the underlying balance being prepaid. However, the Sellers may choose in their sole consent and sole discretion to allow an assignment to future purchasers, but that decision will always be with the Sellers exclusively.

VI.

All property will be properly maintained in good working order at all times and there will be replacement items to keep the quantity of equipment, tack, and livestock at the same level as of the original sale at this time.

VII.

The parties understand that there will be leases of two lots, the storage building, historic barn and corrals. Those will be continued to be leased by the Sellers as individuals to the buyer corporation and guaranteed by the Buyers, who shall have control of the corporation for an annual rent equal to the taxes imposed by Idaho County, Idaho on those properties. Those leases shall

further require that casualty insurance be placed on the leased buildings and paid for by the Buyers at all times. Those leases shall continue so long as the payments under the Promissory Note are being made to guarantee the Buyers having possession of these additional buildings and properties as well.

Additionally, the Buyers and the corporation shall maintain general liability insurance in the sum of at least \$300,000.00 on the operations and on the premises. As to the leased properties, the individual Sellers, Smith, shall be named as additional named insureds on those leases so long as those leases remain in place.

VIII.

It is further agreed, in accordance with the parties' Earnest Money Agreement, that as to the two lots, the storage building, the historic barn and corrals the Sellers shall grant a Deed of Right of First Refusal to those items in favor of the Buyer corporation, who shall be entitled to notice in the event that if those items would be sold these Buyers, or their corporation, shall have the opportunity to meet any independent third party offer for those particular items. Those rights relating to those lots and leased items shall be subject to the following restrictions:

The Sellers shall not accept any offer from any third party to sell Lots 23 and 24, with the log storage building, for a period of three (3) years from the date of this agreement. The Sellers shall not accept any offer from a third party to sell Lots 21, 22, 23, 24, 25 and 26, Block G, and the West 40 feet of Lot 10, together with the West side of the vacated road adjacent to Lots 21 through 26 and all of the vacated road adjacent to Lot 10, Block G, including the historic barn, for five (5) years from this date.

All of those terms shall be expressed in the Deed of Right of First Refusal.

IX.

It is understood that while the corporation is under the control of the Sellers they will pay all debts and creditors for bills that were incurred prior to January 1, 1998, including the sales tax and they will hold the Buyers harmless on account of those debts incurred prior to that date. The Buyers agree for themselves, acting through their corporation, that they will pay all debts incurred hereafter, including said sales tax obligations.

X.

The parties agree further that the land, building, right to the business, and stock constitutes one asset package and consequently in the event of a foreclosure all of the security shall be sold at one time for one price, so that the entire operation can be maintained as one economic unit.

XI.

BREACH OF CONTRACT: In the event that any of the parties breach this agreement in any respect or fail in any respect to follow the terms hereof the defaulting party shall pay to the prevailing party in any suit or action brought to enforce the terms of this agreement their costs and disbursements allowed by law and a reasonable attorney's fee.

XII.

BINDING EFFECT: It is mutually covenanted, promised, and agreed that the provisions of this agreement shall apply to and be binding upon the heirs, executors, administrators, successors and assigns of the respective parties hereto as if in each covenant they were specifically mentioned.

ADDITIONAL PROVISIONS:

IN WITNESS WHEREOF, the parties hereto have set their hands
and seals the day and year first above written.

DIXIE OUTFITTERS, INC.

By Emmett Smith
EMMETT SMITH, President

ATTEST:

Zona Smith
ZONA SMITH, Secretary

Emmett Smith
EMMETT SMITH

Zona Smith
ZONA SMITH

Ronald L. West
RONALD L. WEST

Patsy B. West
PATSY B. WEST

Bradley L. West
BRADLEY L. WEST

STATE OF IDAHO)
County of Idaho)

On this 20th day of January, 1998, before me, a Notary Public
in and for said County and State, personally appeared EMMETT SMITH
and ZONA SMITH, President and Secretary, respectively, of Dixie
Outfitters, Inc., known to me to be the persons whose names are
subscribed to the within instrument and they acknowledged to me
that they freely executed the same for and on behalf of said
corporation.

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

(NOTARY SEAL)

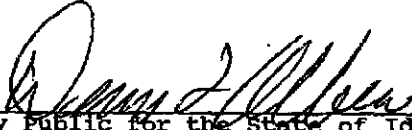
Dennis J. Mills
Notary Public for the State of Idaho,
Residing at Grangeville, therein.
My commission expires 12-25-2000.

STATE OF IDAHO)
ss
County of Idaho)

On this 29th day of January, 1998, before me, a Notary Public in and for said County and State, personally appeared EMMETT SMITH and ZONA SMITH, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and they acknowledged to me that they freely executed the same.

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

(NOTARY SEAL)

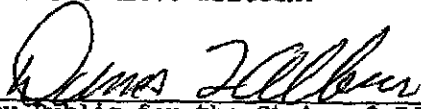

Notary Public for the State of Idaho,
Residing at Grangeville, therein.
My commission expires 12-25-2000.

STATE OF IDAHO)
ss
County of Idaho)

On this 29th day of January, 1998, before me, a Notary Public in and for said County and State, personally appeared RONALD L. WEST and PATSY B. WEST, husband and wife, and BRADLEY L. WEST, a single person, known to me to be the persons whose names are subscribed to the within instrument and they acknowledged to me that they freely executed the same.

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

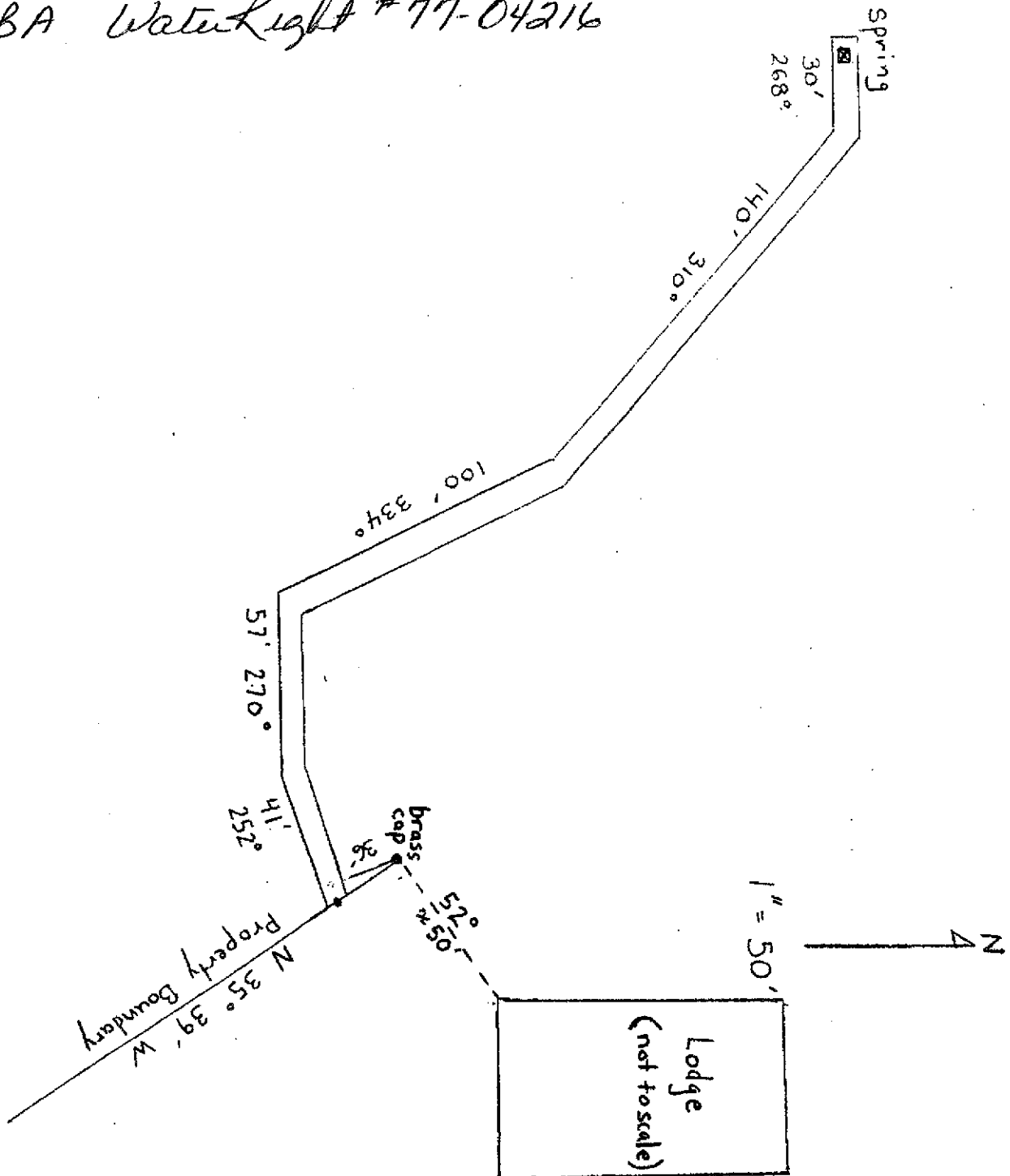
(NOTARY SEAL)


Notary Public for the State of Idaho,
Residing at Grangeville, therein.
My commission expires 12-5-2000.

Dixie Outfitters Inc.
c/o Ronald West
PO Box 33
Dixie ID 83525

SRBA Water Right #77-04216

Copy



7/10/87
DRC

SRBA

SUBCASE SUMMARY REPORT 77-04216

[Return to SRBA Home Page](#)

SRBA

SUBCASE SUMMARY REPORT

HTML12

05-03-2002

SUBCASE: 77-04216 FILE#: 00000
CLAIMANT: DIXIE OUTFITTERS
 C/O EMMETT SMITH

DIXIE ID 83525
STATUS: PD ISSUED
WATER SOURCE: SPRING, SINKS

**** PARTIES INVOLVED ****

DIXIE OUTFITTERS C PRO SE

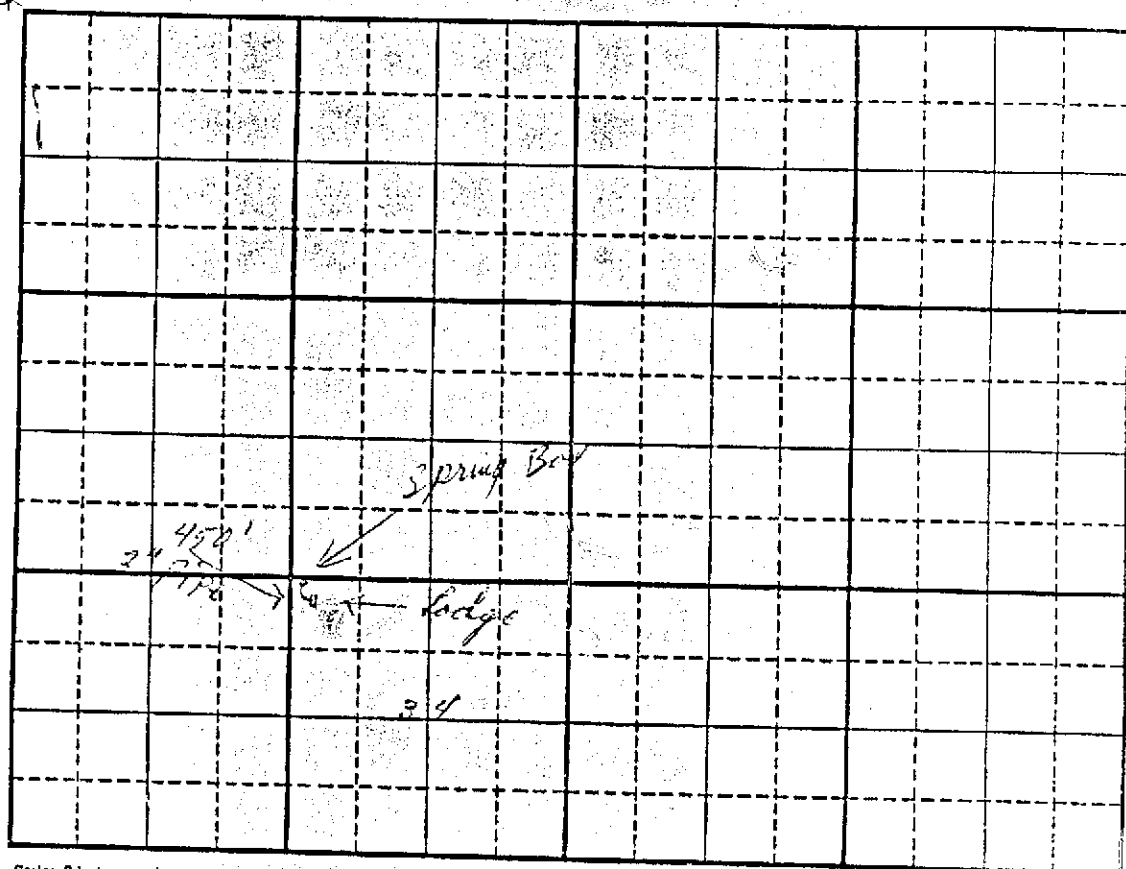
**** ROA ENTRIES ****

07-28-2000 PARTIAL DECREE FILED

07-28-2000

[Return to SRBA Home Page](#)

(B) Remarks Spring Box is located 450' South West
of Lot 125 of Devil Platte Block C



Scale: 2 inches equal 1 mile.

* Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of ~~Idaho~~ Washington)
County of Stevens) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 6th day of March, 19 84.

W. Emerson Smith
(Claimant)

Robin Chapman
Notary Public

Residing at Chewelah, Washington

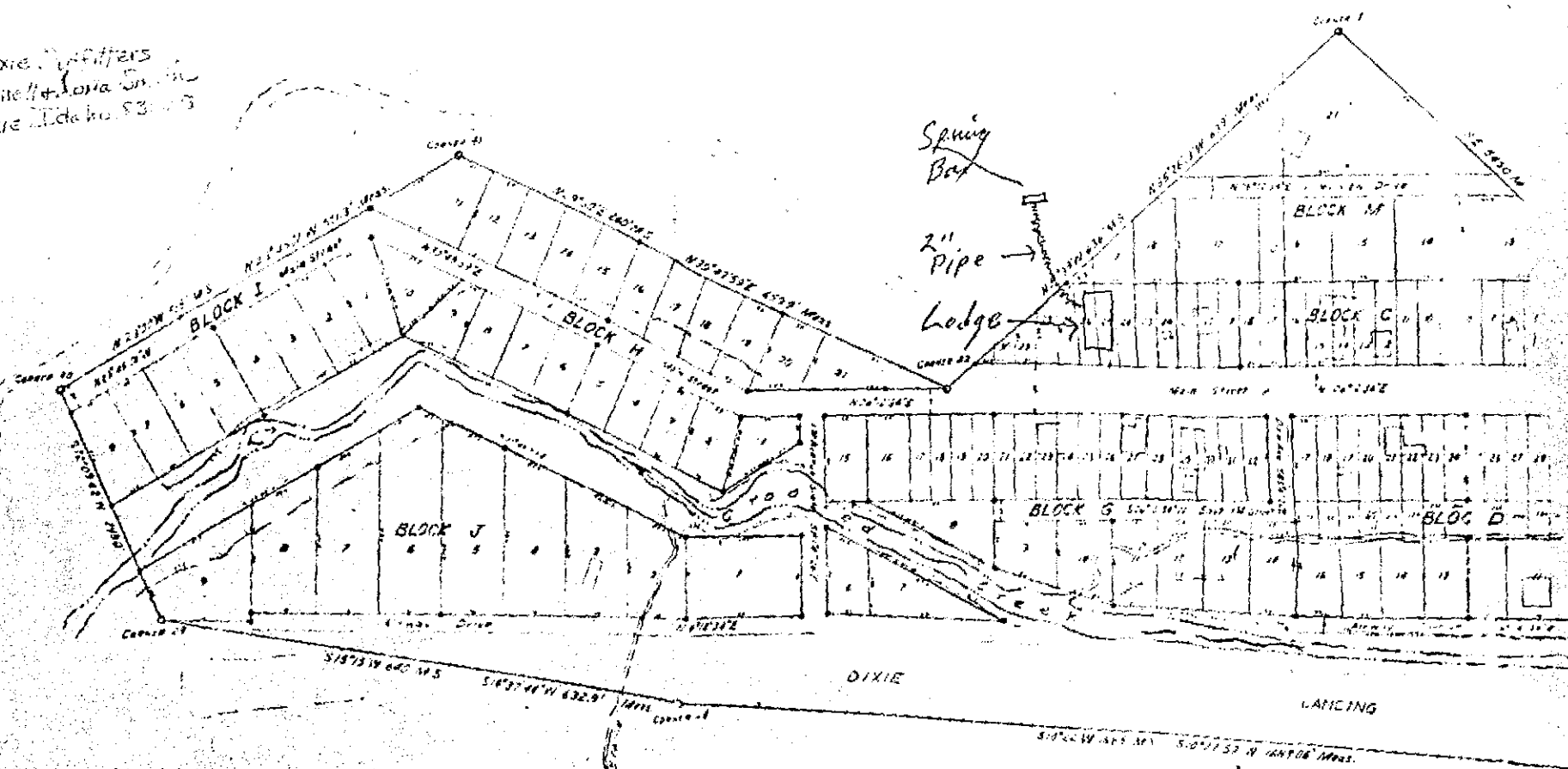
My commission expires 6-10-86

IN-11114 4/22/83 P.M.

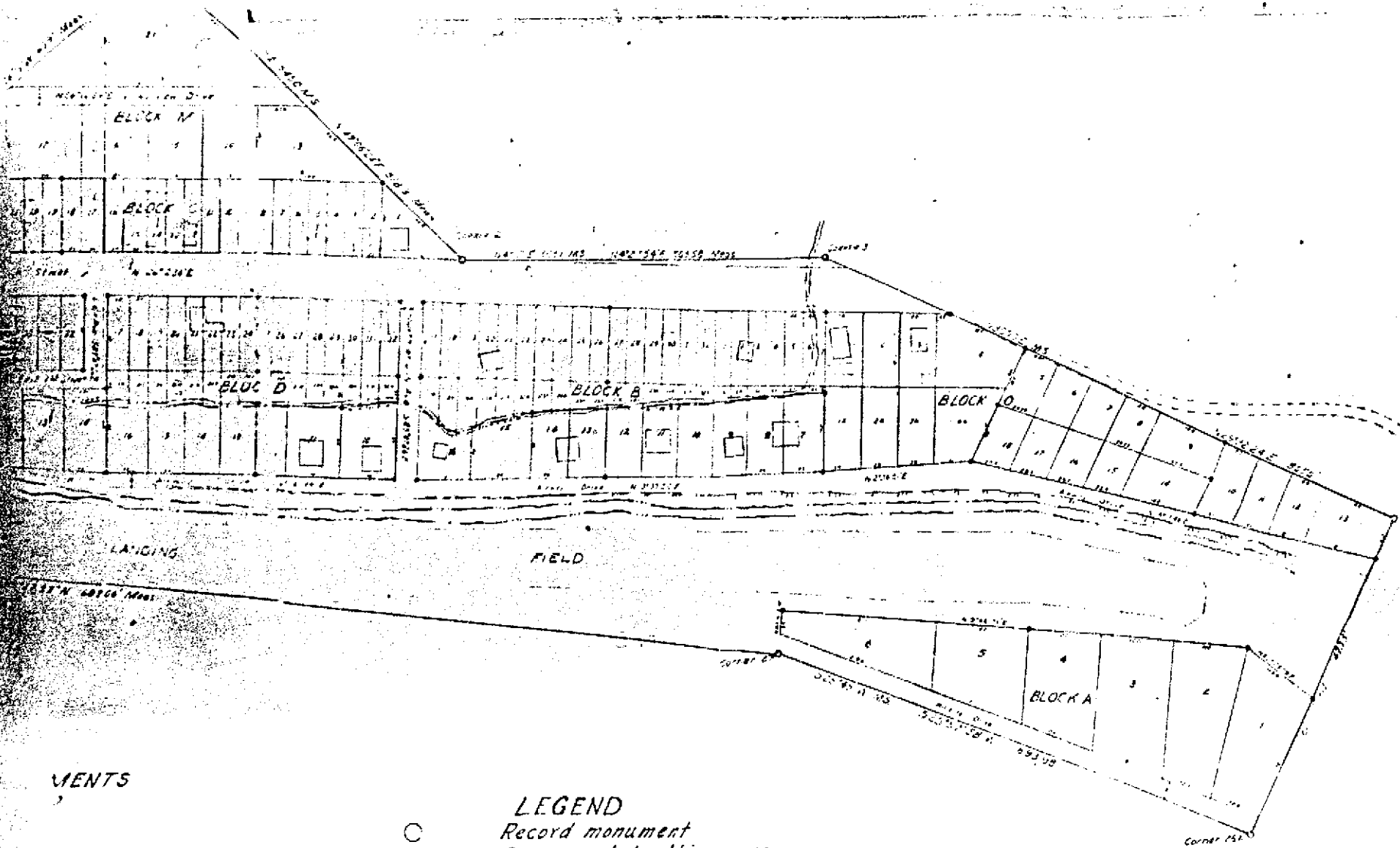
3-15-84 FOR DEPARTMENT USE ONLY

Received by SAC Date 2-1-83 Exception filed by: _____ Date _____
Prelim. check by JP Date 3-27-84 Forwarded to: _____ Date _____
\$30.00 fee received by JP Date 2/15/83 claimant by: _____
Published in Idaho County Free Press # 26908
Dates 4/25 & 5/2/84

Dixie, Jeffers
Emmett & Lona Smith
Dixie Idaho 83008



NOTES:



LEGEND
 Record monument
 Corner set by this survey
 Building

**NOTICE OF CLAIMS
TO WATER RIGHTS**

The following claim(s)
have been filed on water
right(s) created by diversion
and beneficial use: 1/19
77-4216

**DIXIE OUTFITTERS
C-O EMMETT SMITH,
DIXIE, ID 83525**

Source: SPRING trib. to
SINKS

Priority Date: 08-01-1960

Diversion Pt: NWNW Sec 34
T 26N R 06E

Use: DOMESTIC (0.04 CFS)
In: NWNW Sec 34 T 26N R
06E

Exceptions to a claim may
be filed with the Director,
Dept. of Water Resources,
Western Region, Statehouse,
Boise, Idaho 83720.

KEN DUNN, Dir.
Published 04-25 & 05-02-84.
A25-M2

AFFIDAVIT OF PUBLICATION

Charlotte Sotin

being first duly

sworn, says he is the Bookkeeper
of the IDAHO COUNTY FREE PRESS, a weekly newspaper which
is published and issued weekly at Grangeville, Idaho County,
State of Idaho, and which is of general circulation in said county
and state; that the said notice, of which the one hereto attached
is a true copy, was published in said paper for two weeks,
being published two times, the first publication being
on the 25th day of April, 19 84,
and the last publication on the 2nd day of
May, 19 84, and that the said notice
was published in the newspaper proper and not a supplement;
that said newspaper has been continuously and uninterruptedly
published in said county during a period of more than seventy-
eight consecutive weeks prior to the first publication of said
notice or advertisement.

Charlotte Sotin

Subscribed and sworn to before me this 2nd day
of May, 19 84.

Charles Dunn

Notary Public
for State of Idaho, residing at Grangeville, Idaho.

RECEIVED
MAY 17 1984

Department of Water Resources
Western Regional Office

05/03/2002

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

RIGHT NUMBER: 77-4216

NAME AND ADDRESS: DIXIE OUTFITTERS
C/O RONALD L &/OR PATSY B WEST
PO BOX 33
DIXIE ID 83525

SOURCE: SPRING

TRIBUTARY: SINKS

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/01/1960

POINT OF DIVERSION:

T26N R08E S34 NWNWNW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

1/01 12/31

0.040 CFS

DOMESTIC USE FOR 1 LODGE AND 2 CABINS.

PLACE OF USE: DOMESTIC Within IDAHO County

T26N R08E S34 NWNW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use

PARCEL NO. RP0010000C026AA



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED
APR 15 1999

WATER RESOURCES
WESTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 9, 1999

DIXIE OUTFITTERS
C/O RON WEST
PO BOX 33
DIXIE ID 83525

RE: Snake River Basin Adjudication (SRBA)
Water Right #77-04216

Dear Water Right Holder:

Thank you for advising us you are the current owner of the property and water right shown above. Before we can modify our records to reflect your ownership of the property and water right referenced above, we need Form 42-248/42-1409(6) completed and returned. I have enclosed this form for your use.

Please send the completed form with warranty deed copy and map to our Boise Region office by April 30, 1999.

Idaho Department of Water Resources
Adjudication Bureau
2735 Airport Way
Boise, ID 83705-5082

Please call me toll-free at 1-800/451-4129 if you have any questions.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:
Form 42-248/42-1409(6)



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

APR 09 1999

Department of Water Resources

March 3, 1999

4/3/99 - Please be advised

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

that Dixie Outfitters is now

% Ron West (new owner as of

P.O. Box 33

1/20/98)

Dixie ID 83525

77-04216

DIXIE OUTFITTERS

C/O EMMETT SMITH

DIXIE ID 83525

RE: Domestic and/or Stockwater Rights in Reporting Area 24, Basin 77
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your domestic and/or stockwater water right(s) in basin 77 (the Central Idaho region of the Salmon River drainage area). We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended domestic and stockwater right(s) in your area. Water rights for irrigation and other purposes in basin 77 will be recommended in a later process.

Note that you have 180 days in which to file any objection to our recommendation and to review the domestic and stockwater water rights of other claimants, including those of the United States. Information on the other water rights can be found at the county courthouses in Burley, Gooding, Jerome, Mountain Home, Twin Falls, Murphy, Boise, Caldwell, Payette, Weiser, Council, Grangeville, Lewiston, Nezperce, Cascade, Salmon, Challis, and all of the Idaho Department of Water Resources offices (see addresses in enclosure).

If the Court does not receive an objection from you about our recommendation, and no other party objects to your water right, your water right will be decreed as recommended after the 180-day objection period. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions that you have about your water right(s) or this adjudication process.

Sincerely,

Karl J. Dreher
Director

Enclosures

CHANGE OF OWNERSHIP
LETTER SENT 4-9-99
-p

AJ0749NP
No. R77-04216

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 12/02/98
PAGE: 1

=====

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DIXIE OUTFITTERS C/O EMMETT SMITH DIXIE ID 83525 (208) 842-2417	06/01/1960	DOMESTIC	01-01 12-31	0.04 CFS	
TOTAL DIVERSION:					0.04 CFS	

Water Source: SPRING

Tributary to: SINKS

Stage: BENEFICIAL USE

Point(s) of Diversion:

T26N R08E S34

NWNWNW

IDAHO County

Place of use Legal Description for: DOMESTIC

		NE				NW				SW				SE			
T	R S	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac
26N	08E 34	:				:				:				:			

POU County: IDAHO

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: USE DOMESTIC USE FOR 1 LODGE AND 2 CABINS.

EXP PARCEL NO. RP0010000C026AA

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Comments: Date: 12/01/1993 User-ID: DUNN1 Subject: COPIED FROM REMARKS
AREA UNSURVEYED. P/D & P/U AREA APPROX.

Audit: 12/02/98 CWALKER

AJ5809NP
No. R77-04216

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/09/98
PAGE: 23

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DIXIE OUTFITTERS C/O EMMETT SMITH DIXIE ID 83525 (208) 842-2417	06/01/1960	DOMESTIC	01-01 12-31	0.04 CFS	0.04 CFS
TOTAL DIVERSION:					0.04 CFS	

Water Source: SPRING

Tributary to: SINKS

Stage: BENEFICIAL USE

Point(s) of Diversion:

T26N R08E S34

NWNWNW

IDAHO County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE							
				NENE NWNE SWNE SENE				NENW NWNW SWNW SENW				NESW NWSW SWSW SESW				NESE NWSE SWSE SESE							
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
26N	08E	34	:																				
			:																				

POU County: IDAHO

Non-Irrigation Uses: ~~DOMESTIC, 1 LODGE, 2 CABINS~~

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

use - Domestic use for 1 lodge and 2 cabins

Remarks: GEN PARCEL NO. RP0010000C026AA

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Comments: Date: 12/01/1993 User-ID: DUNN1 Subject: COPIED FROM REMARKS
AREA UNSURVEYED. P/D & P/U AREA APPROX.

Audit: 12/01/93 DUNN1 03/30/95 POST-STD 11/08/98 AJU3-JSH

OLD (D) NUMBER - 774216

STATE- ID ZIP- 83525

MICROFILMED
OCT 24 1996

WATER RIGHT NUMBER - A77-04216

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - - COMMENTS - - - - - +
NO COMMENTS FOUND

+ - - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - - +

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 05/16/1986	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 07/25/1988	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- W000528	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	-	NOTICE OF ERROR FLAG	-

YR0010000C026AA

DATA ENTRY

ENTERED 12-1-93

CHECKED 3-31-94

"Verified By"
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED

SEP 13 1992

CERTIFIED

MAR 29 1993

WATER EXAMINER

PROOF

JUN 26 1992

MICROFILMED

OCT 24 1996