

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP
(AMENDED Nov. 12, 2007.)

RECEIVED

NOV 13 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

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

Note: This notice is identical to the notice filed on Aug. 9, 2007 (dated Aug. 8, 2009), except as follows: The acreage was adjusted from 8.3 acres to 8.2 acres, in accordance with IDWR's calculation. The cfs was adjusted from 0.02 cfs per acre to 0.0424 cfs per acre also in accordance with IDWR's calculation. Finally, we appended a new Exhibit E (email from Craig L. Saxton), which explains these adjustments.

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 (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s).	Adjudication Claim No(s).	Split(s)	Water Right No(s).	Adjudication Claim No(s).	Split(s)
<u>37-862</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 diversion 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 claims(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation you must submit a 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)

Harry L. Woolley, Jr. Revocable Trust (Lot 7)

Robert M. Brennan (Lot 11)

4. New Owner/Claimant(s)

Oliver Family Trust

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

c/o OliverMacMillan, 733 8th Avenue

City, State and ZIP Code

San Diego, CA 92101

New Telephone Number

(619) 321-1111

5. Date you acquired the property

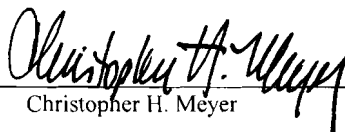
6-25-2001 (Lot 11); 2-21-2002 (Lot 7). See Exhibit A

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in 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 (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 will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number <u>37-862</u>		
Irrigation	0.35 cfs (0.0424 cfs per acre x 8.2 acres). This is based on a proportionate split of Water Right No. 37-862, which was recommended for 3.2 cfs on 75.4 acres or 0.0424 cfs per acre. .	Irrigates a total of 8.2 acres of pasture and lawn located in Lot 7 (5.17 acres) and Lot 11 (4.87 acres) totaling 10.04 acres. The portion of Lot 11 to the west of the Wood River is not included. The irrigated acres owned by the Oliver Family Trust are depicted in Exhibit B. All acres irrigated by Water Right 37-862 (prior to this split) are depicted in Exhibit C.
Stock		
Domestic		
Other		
Totals	0.35 cfs	
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

7. Signature of New Owner(s) or Claimant(s)

Dated: November 12, 2007


Christopher H. Meyer

Power of Attorney attached
(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only

Received by _____	Date _____	Receipt Amt. _____
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

Exhibit A To Notice of Change in Water Right Ownership

History of Ownership

The Oliver Family Trust is the current owner of Lots 7 and 11 of River Grove Ranch (Amended) Subdivision in Blaine County, Idaho. The subdivision is located in Blaine County, north of the City of Hailey. A table summarizing the conveyances affecting Lot 7 is attached as Attachment 1 to Exhibit A. A table summarizing conveyances affecting Lot 11 is attached as Attachment 2 to Exhibit A.

Subdivision

On 12-28-1976, the subdivision was conveyed from the then owner, Lloyd J. Walker, individually and as attorney in fact for Mary E. Walker, William G. Schmidt and Mary Lou Schmidt, husband and wife, John Patrick Hamilton and Margaret Hamilton, husband and wife, Agatha K. Walker, a widow, and Lloyd J. Walker as personal representative of the Estate of Lloyd William Walker, to Valco, Inc. A copy of this deed is attached as Attachment 3 to Exhibit A.

Lot 7

On 9-23-1977 (date of deed), Lot 7 was conveyed from the then owner, Valco, Inc., to Robert H. McCollum and Susan K. McCollum, husband and wife. A copy of this deed is attached as Attachment 4 to Exhibit A.

On 7-23-1999 (date of deed), Lot 7 was conveyed to Eric D. Ward and Shawna Ward, husband and wife. A copy of this deed is attached as Attachment 5 to Exhibit A.

On 6-26-2000 (date of deed), Lot 7 was conveyed to Harry L. Woolley, Jr. Revocable Trust Dated 12/2/1999, Harry L. Woolley, Jr. and Janet Sue Woolley, Co-Trustees. A copy of this deed is attached as Attachment 6 to Exhibit A.

On 11-28-2001 (date of deed), Lot 7 was conveyed from the then owner, Harry L. Woolley, Jr. Revocable Trust Dated 12/2/1999, Harry L. Woolley, Jr. and Janet Sue Woolley, Co-Trustees, to Harry L. Woolley, Jr. and Janet Sue Woolley, husband and wife. A copy of this deed is attached as Attachment 7 to Exhibit A.

Later on the same day, 11-28-2001 (date of deed), Lot 7 was conveyed back to Harry L. Woolley, Jr. Revocable Trust Dated 12/2/1999, Harry L. Woolley, Jr. and Janet Sue Woolley, Co-Trustees. A copy of this deed is attached as Attachment 8 to Exhibit A.

On 2-21-2002 (date of deed), Lot 7 was conveyed to Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, as Trustees of the Oliver Family Trust dated July 23, 2001 ("Oliver Family Trust"). A copy of this deed is attached as Attachment 9 to Exhibit A.

On 9-4-2003 (date of deed), Lot 7 was conveyed to Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, Husband and Wife. A copy of this deed is attached as Attachment 10 to Exhibit A.

Later on the same day, 9-4-2003 (date of deed), Lot 7 was conveyed back to the Oliver Family Trust. A copy of this deed is attached as Attachment 11 to Exhibit A.

Lot 11

On 6-10-1977 (date of deed), Lot 11 was conveyed from the then owner, Valco, Inc., to Dean C. Johnson and Lynne M. Johnson, husband and wife. A copy of this deed is attached as Attachment 12 to Exhibit A.

On 6-25-2001 (date of deed), Lot 11 of conveyed to Robert M. Brennan, a married man as his sole and separate property. A copy of this deed is attached as Attachment 13 to Exhibit A.

On 6-19-2001 (date of deed), Lot 11 was conveyed from Jill Brennan, to Robert M. Brennan, a married man as his sole and separate property. A copy of this deed is attached as Attachment 14 to Exhibit A.

On 6-19-2001 (date of deed), Lot 11 was conveyed to Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, husband and wife. A copy of this deed is attached as Attachment 15 to Exhibit A.

On 6-25-2001 (date of deed), out of an abundance of caution, water rights appurtenant to Lot 11 were conveyed from Robert M. Brennan, a married man as his sole and separate property, to Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, husband and wife. A copy of this deed is attached as Attachment 16 to Exhibit A.

On 7-24-2001 (date of deed), Lot 11 was conveyed to the Oliver Family Trust. A copy of this deed is attached as Attachment 17 to Exhibit A.

On 9-4-2003 (date of deed), Lot 11 was conveyed again to Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, husband and wife. A copy of this deed is attached as Attachment 18 to Exhibit A.

Later on the same day, 9-4-2003 (date of deed), Lot 11 was conveyed back to the Oliver Family Trust. A copy of this deed is attached as Attachment 19 to Exhibit A.

Attachment 1 to Exhibit A **Table summarizing conveyances affecting Lot 7**

Ownership of Lot 7

Attachment No.	Date of Deed	Date of Notary	Date of Recording	Instrument No.	Type of Deed	Premises	Grantor	Grantee
Attachment 3 to Exhibit A	[undated]	12/28/1976	12/28/1976	170794	Warranty	Fee & Appurtenances	Lloyd J. Walker, individually and as attorney in fact for Mary E. Walker, William G. Schmidt and Mary Lou Schmidt, husband and wife, John Patrick Hamilton and Margaret Hamilton, husband and wife, Agatha K. Walker, a widow, and Lloyd J. Walker as personal representative of the Estate of Lloyd William Walker	Valco, Inc.
Attachment 4 to Exhibit A	9/23/1977	10/14/1977	10/14/1977	177332		Fee & Appurtenances	Valco, Inc.	Robert H. McCollum and Susan K. McCollum, husband and wife
Attachment 5 to Exhibit A	7/23/1999	7/23/1999	7/26/1999	429814	Warranty	Fee & Appurtenances	Robert H. McCollum and Susan K. McCollum, husband and wife	Eric D. Ward and Shawna Ward, husband and wife
Attachment 6 to Exhibit A	6/26/2000	6/26/2000	6/27/2000	440585	Warranty	Fee & Appurtenances	Eric D. Ward and Shawna Ward, husband and wife	Harry L. Woolley, Jr. Revocable Trust Dated 12/20/1999, Harry L. Woolley, Jr. and Janet Sue Woolley, Co-Trustees
Attachment 7 to Exhibit A	11/28/2001	11/28/2001	12/4/2001	458768	Quitclaim	Fee & Appurtenances	Harry L. Woolley, Jr. Revocable Trust Dated 12/20/99, Harry L. Woolley, Jr. and Janet Sue Woolley, Co-Trustees	Harry L. Woolley, Jr. and Janet Sue Woolley, husband and wife
Attachment 8 to Exhibit A	11/28/2001	11/28/2001	12/5/2001	458805	Quitclaim	Fee & Appurtenances	Harry L. Woolley, Jr. and Janet Sue Woolley, husband and wife	Harry L. Woolley, Jr. Revocable Trust Dated 12/20/99, Harry L. Woolley, Jr. and Janet Sue Woolley, Co-Trustees
Attachment 9 to Exhibit A	2/21/2002	2/25/2002	2/28/2002	462042	Warranty	Fee & Appurtenances	Harry L. Woolley, Jr. Revocable Trust Dated 12/20/1999, Harry L. Woolley, Jr. and Janet Sue Woolley, Co-Trustees	Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, as Trustees of The Oliver Family Trust Dated July 23, 2001
Attachment 10 to Exhibit A	9/4/2003	9/9/2003	9/11/2003	491183	Warranty	Fee & Appurtenances	Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, as Trustees of the Oliver Family Trust Dated July 23, 2001	Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, husband and wife
Attachment 11 to Exhibit A	9/4/2003	9/9/2003	12/12/2003	496536	Warranty	Fee & Appurtenances	Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, husband and wife	Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, as Trustees of the Oliver Family Trust Dated 7/23/2001
Note that the two conveyances by warranty deed dated 11-28-2001 were intended to clarify ownership in the Woolley Trust								
Note that the last two conveyances by warranty deed dated 9-4-2003 were intended to clarify ownership in the Oliver Family Trust.								

Attachment 2 to Exhibit A

Table summarizing conveyances affecting Lot 11

Ownership of Lot 11

Attachment No.	Date of Deed	Date of Notary	Date of Recording	Instrument No.	Type of Deed	Premises	Grantor	Grantee
Attachment 3 to Exhibit A	[undated]	12/28/1976	12/28/1976	170794	Warranty	Fee & Appurtenances	Lloyd J. Walker, individually and as attorney in fact for Mary E. Walker, William G. Schmidt and Mary Lou Schmidt, husband and wife, John Patrick Hamilton and Margaret Hamilton, husband and wife, Agatha K. Walker, a widow, and Lloyd J. Walker as personal representative of the Estate of Lloyd William Walker	Valco, Inc.
Attachment 12 to Exhibit A	6/10/1977	6/9/1977 (hard to read)	6/10/1977	174198		Fee & Appurtenances	Valco, Inc.	Dean C. Johnson and Lynne M. Johnson, husband and wife
Attachment 13 to Exhibit A	6/25/2001	7/2/2001	7/16/2001	453192	Warranty	Fee & Appurtenances	Dean C. Johnson and Lynne M. Johnson, husband and wife	Robert M. Brennan, a married man as his sole and separate property
Attachment 14 to Exhibit A	6/19/2001	7/2/2001	7/16/2001	153193	Quitclaim	Fee & Appurtenances	Jill Brennan	Robert M. Brennan, a married man as his sole and separate property
Attachment 15 to Exhibit A	6/19/2001	7/3/2001	7/16/2001	453194	Warranty	Fee & Appurtenances	Robert M. Brennan, a married man as his sole and separate property	Morgan Dene Oliver and Elizabeth Hamman Oliver, husband and wife
Attachment 16 Exhibit A	6/25/2001	7/3/2001	7/16/2001	453195	Quitclaim	Water Rights	Robert M. Brennan, a married man as his sole and separate property	Morgan Dene Oliver and Elizabeth Hamman Oliver, husband and wife
Attachment 17 to Exhibit A	7/24/2001	7/24/2001	8/8/2001	454090	Quitclaim	Fee & Appurtenances	Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, a married couple	Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, as Trustees of the Oliver Family Trust dated July 23, 2001
Attachment 18 to Exhibit A	9/4/2003	9/11/2003	9/12/2003	491316	Warranty	Fee & Appurtenances	Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, as Trustees of the Oliver Family Trust dated July 23, 2001	Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, husband and wife
Attachment 19 to Exhibit A	9/4/2003	9/11/2003	9/12/2003	491318	Warranty	Fee & Appurtenances	Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, husband and wife	Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, as Trustees of the Oliver Family Trust dated July 23, 2001
	Note that the conveyances by quitclaim deed dated 6-25-2001 was intended to clarify ownership in Mr. and Mrs. Oliver. However, the water rights had already been conveyed by the warranty deed dated 6-19-2001.							
	Note that the last two conveyances by warranty deed dated 9-4-2003 were intended to clarify ownership in the Oliver Family Trust.							

Attachment 3 to Exhibit A
Deed dated 12-28-1976 (Subdivision Deed)

WARRANTY DEED

For Value Received

Lloyd J. Walker, individually and as attorney in fact for Mary E. Walker, William G. Schmidt and Mary Lou Schmidt, husband and wife, John Patrick Hamilton and Margaret Hamilton, husband and wife, Agatha K. Walker, a widow, and Lloyd J. Walker as personal representative of the Estate of Lloyd William Walker

Hereinafter called the grantor, hereby grants, bargains, sells and conveys unto

Valco, Inc.

whose address is:

Box 623, Ketchum, Idaho 83340

Hereinafter called the grantees, the following described premises, in Blaine County, Idaho, to-wit:

A parcel of land in Township 2 North, Range 18 East, B.M., Blaine County, Idaho, more particularly described as follows:

All of the $\frac{W}{4}$ of the $\frac{SW}{4}$ of Section 4 lying west of U. S. Highway 93, excepting the Power Company Canal right-of-way, also excepting a parcel of land described as follows:

Commencing at the S.W. Corner of said Section 4:

THENCE N. $90^{\circ}00'00''$ E., 852.76 feet to the true point of beginning;

THENCE N. $29^{\circ}00'10''$ W., 160.67 feet;

THENCE N. $60^{\circ}59'50''$ E., 408.15 feet to the west boundary of U. S. Highway 93;

THENCE S. $29^{\circ}00'10''$ E., 386.94 feet along the west boundary of U. S. Highway 93;

THENCE N. $90^{\circ}00'00''$ W., 466.67 feet to the true point of beginning.

And also, the $\frac{E}{4}$ of the $\frac{SE}{4}$ of Section 5, except the Power Company right-of-way.

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

Dated:

Lloyd J. Walker
Lloyd J. Walker

Mary E. Walker
Mary E. Walker

Lloyd J. Walker
By: Lloyd J. Walker

William G. Schmidt
William G. Schmidt

Lloyd J. Walker
By: Lloyd J. Walker

Mary Lou Schmidt
Mary Lou Schmidt

Lloyd J. Walker
By: Lloyd J. Walker

John Patrick Hamilton Agatha K. Walker
 John Patrick Hamilton Agatha K. Walker
Lloyd J. Walker Lloyd J. Walker
 By: Lloyd J. Walker By: Lloyd J. Walker
Margaret Hamilton Lloyd J. Walker
 Margaret Hamilton Lloyd J. Walker, personal
 representative of the Estate
 of Lloyd William Walker
Lloyd J. Walker
 By: Lloyd J. Walker

STATE OF IDAHO)
) ss.
 County of Blaine)

On this 28th day of December, 1976, before me, the undersigned, a Notary Public for Idaho, personally appeared Lloyd J. Walker, individually and as attorney in fact for Mary E. Walker, William G. Schmidt and Mary Lou Schmidt, husband and wife, John Patrick Hamilton and Margaret Hamilton, husband and wife, and Agatha K. Walker, a widow, and Lloyd J. Walker as personal representative of the Estate of Lloyd William Walker, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that he 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.

Angie H. H. H.
 Notary Public for Idaho
 Residing at Boise, Idaho



Sent to Idaho
 Dec 28 76
 Community Bank
 MARIE ME LUYA
 Cashier
 Boise

170794

Attachment 4 to Exhibit A
Deed dated 9-23-1977 (Subdivision to McCollums)

DEED

FOR VALUE RECEIVED, VALCO, INC., an Idaho corporation,
a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant,
Bargain, Sell and Convey unto
ROBERT H. McCOLLUM and SUSAN K. McCOLLUM, husband and wife,
grantee whose current address is 262 Santa Rita Avenue, Palo Alto, California 94301
the following described real estate, to-wit:

Lot 7 of RIVER GROVE RANCH SUBDIVISION, Blaine
County, Idaho, according to the amended plat thereof
recorded in Book 15 of Plats, Page 10, records of
Blaine County, Idaho.

SUBJECT TO That Mortgage dated December 21, 1976,
executed by Valco, Inc., Mortgagor, to Lloyd J. Walker,
individually and as attorney in fact for Mary E.
Walker, William G. Schmidt and Mary Lou Schmidt,
husband and wife, John Patrick Hamilton and Margaret
Hamilton, husband and wife, Agatha K. Walker, a
widow, and Lloyd J. Walker, as personal representative
of the Estate of Lloyd William Walker, Mortgagee,
recorded December 28, 1976, as Instrument No. 170795,
records of Blaine County, Idaho.

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantees
their heirs and assigns forever

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused
its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its
Secretary this 23rd day of September, 1977.

By Dale L. Donnelly
Dale L. Donnelly, PRESIDENT.

ATTEST:
Valerie M. Donnelly
Valerie M. Donnelly, SECRETARY.

STATE OF IDAHO, County of Blaine
On this 14 day of September, 1977,
before me, a Notary Public in and for said State, personally appeared DALE L. DONNELLY and
VALERIE M. DONNELLY, known to me to
be the President and Secretary of the corporation
that executed this instrument or the persons who executed
the instrument on behalf of said corporation, and
acknowledged to me that such corporation executes 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.

[Signature] Notary Public Idaho
Residing at Hailey
Comm. Expires 2/10/81

STATE OF IDAHO, COUNTY OF Blaine
I hereby certify that this instrument was filed for record at
the request of Law Valley Table Co.
at 34 minutes past 4:00 o'clock PM.
this 14 day of Sep
1977, in my office, and duly recorded in Book
of Deeds at Page

MAURIE FINE LUYA
Ex-Officio Recorder

By [Signature] Deputy.
Fees \$1.00
Mail to: 201

INSTRUMENT No. 177332

Attachment 5 to Exhibit A
Deed dated 7-23-1999 (McCollums to Wards)

Order No. 22595

429814

WARRANTY DEED

Deed
FIRST AMERICAN-TITLE

For Value Received

Robert H. McCollum and Susan K. McCollum, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Eric D. Ward and Shawna Ward, husband and wife

whose address is: P.O. Box 604, Hailey, ID 83333

Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

Lot 7 of RIVER GROVE RANCH AMENDED, MAY, 1977, according to the official plat thereof, recorded as Instrument No. 172626, records of Blaine County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: July 23, 1999

Robert H. McCollum
Robert H. McCollum

Susan K. McCollum
Susan K. McCollum

State of California

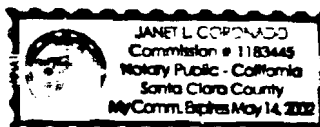
County of Santa Clara

On July 23, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Robert H. McCollum and Susan K. McCollum personally known to me (or known to me by the names of the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

WITNESS my hand and official seal.

Signature

Residing: Sunnyvale, CA
Commission Expires: May 14, 2002



Attachment 6 to Exhibit A
Deed dated 6-26-2000 (Wards to Woolley Trust)

K23406

WARRANTY DEED Instrument # **440585**

HAILEY BLAINE, IDAHO
2000-06-27 02:54:00 No. of Pages: 1
Recorded for: FIRST AMERICAN TITLE
MARSHA RIEMANN Fee: 3.00
Ex-Officio Recorder Deputy
Index to: WYRACORP DEED

For Value Received Eric D. Ward and Shawna Ward, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Harry L. Woolley, Jr. Revocable Trust Dated 12/20/1999, Harry L. Woolley, Jr and Janet Sue Woolley, Co-Trustees

whose address is: 1516 NE 105th Street, Miami Shores, FL 33138

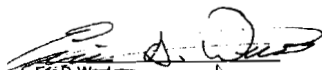
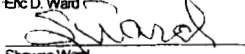
Hereinafter called the Grantee, the following described premises situated in Blaine County, ID, to-wit:

Lot 7 of RIVER GROVE RANCH AMENDED, MAY, 1977, according to the official plat thereof, recorded as Instrument No. 172626, records of Blaine County, Idaho.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

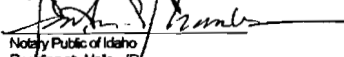
Dated: June 26, 2000


Eric D. Ward

Shawna Ward

STATE OF Idaho

COUNTY OF Blaine

On this 26th day of June, 2000, before me, a Notary Public in and for said State, personally appeared Eric D. Ward and Shawna Ward, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.


Notary Public of Idaho
Residing at: Hailey, ID
Commission Expires: 05/15/04



Attachment 7 to Exhibit A
Deed dated 11-28-2001 (Woolley Trust to Woolleys)

NJV-28-2001 WED 10:37 AM

FAX NO. 208 726 1062

P. 05/06

Order No. 60345

QUITCLAIM DEED

Instrument # 458768

HAILEY, BLAINE, IDAHO
2001-12-04 04:01:00 No. of Pages: 1
Recorded for: AMERUTTLE
MARSHA RIEMANN Fee: 3.00
Ex-Officio Recorder Deputy
Index to: WTYOCCORP DEED

FOR VALUE RECEIVED

HARRY L. WOOLLEY, JR. REVOCABLE TRUST DATED 12/20/99, HARRY L. WOOLLEY, JR AND JANET SUE WOOLLEY, CO-TRUSTEES

do hereby CONVEY, RELEASE, REMISE and FOREVER quit claim unto

HARRY L. WOOLLEY, JR AND JANET SUE WOOLLEY, HUSBAND AND WIFE

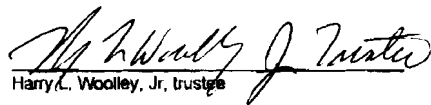
whose address is: **400 Wall Street #306, Seattle, WA 98121**

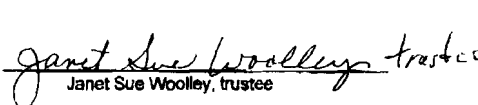
the following described premises situated in Blaine County, Idaho, to wit:

Lot 7 of RIVER GROVE RANCH AMENDED MAY, 1977, according to the official plat thereof, recorded as Instrument No. 172626, records of Blaine County, Idaho.

together with their appurtenances.

Dated: **November 28, 2001**


Harry L. Woolley, Jr., trustee

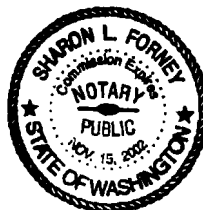

Janet Sue Woolley, trustee

State of Washington }
County of King } ss.

On this 28th day of November, in the year 2001, before me, the undersigned, personally appeared **Harry L. Woolley, Jr and Janet Sue Woolley**, known or identified to me to be the person(s) whose name is/are subscribed to the within instrument as trustee(s) of the **HARRY L. WOOLLEY, JR. REVOCABLE TRUST DATED 12/20/99** and acknowledged to me that he/she/they executed the same as such trustee(s).

WITNESS my hand and official seal.


Notary Public **SHARON L. FORNEY**
Commission Expires: 11-15-2002



Attachment 8 to Exhibit A
Deed dated 11-28-2001 (Woolleys to Woolley Trust)

NJV-28-2001 WED 10:37 AM

FAX NO. 208 726 1062

P. 06/06

Order No. 50345

Instrument # 458805

HAILEY, BLAINE, IDAHO
2001-12-05 03:18:00 No. of Pages: 1
Recorded for : AMERITITLE
MARSHA RIEMANN Fee: 3.00
Ex-Officio Recorder Deputy
Index to: WTYAGACORP DEED

QUITCLAIM DEED

FOR VALUE RECEIVED

HARRY L. WOOLLEY, JR AND JANET SUE WOOLLEY, HUSBAND AND WIFE

do hereby CONVEY, RELEASE, REMISE and FOREVER quit claim unto

HARRY L. WOOLLEY, JR. REVOCABLE TRUST DATED 12/20/99, HARRY L. WOOLLEY, JR AND JANET SUE WOOLLEY, CO-TRUSTEES

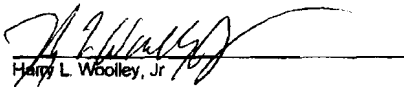
whose address is: **400 Wall Street #306, Seattle, WA 98121**

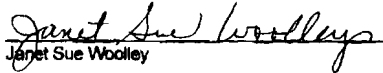
the following described premises situated in Blaine County, Idaho, to wit:

Lot 7 of RIVER GROVE RANCH AMENDED MAY, 1977, according to the official plat thereof, recorded as Instrument No. 172626, records of Blaine County, Idaho.

together with their appurtenances.

Dated: **November 28, 2001**


Harry L. Woolley, Jr.

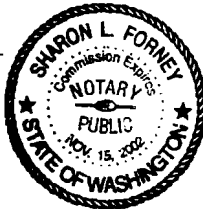

Janet Sue Woolley

State of Washington)
County of King) ss.

On this 28th day of November, in the year 2001, before me, the undersigned, personally appeared Harry L. Woolley and Janet Sue Woolley known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.


Notary Public, **SHARON L. FORNEY**
Commission Expires 11-15-2002



Attachment 9 to Exhibit A
Deed dated 2-21-2002 (Woolley Trust to Oliver Family Trust)

K24769

WARRANTY DEED

For Value Received **Harry L. Woolley, Jr. Revocable Trust Dated 12/20/1999, Harry L. Woolley, Jr and Janet Sue Woolley, Co-Trustees**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, as Trustees of The Oliver Family Trust dated July 23, 2001

whose address is: 983 Scott Street, San Diego, CA. 92106

Hereinafter called the Grantee, the following described premises situated in **Blaine County, Idaho**, to-wit:

Lot 7 of RIVER GROVE RANCH AMENDED, MAY, 1977, according to the official plat thereof, recorded as Instrument No. 172626, records of Blaine County, Idaho.

Buyer Simultaneous Exchange

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: February 21, 2002

Woolley
Harry L. Woolley, Jr. Revocable Trust dated 12/20/99, Harry L. Woolley, Jr. and Janet Sue Woolley, Co-Trustees

BY: [Signature]
Harry L. Woolley, Jr., Co-Trustee

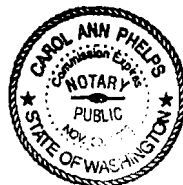
BY: [Signature]
Janet Sue Woolley, Co-Trustee

Instrument # **462042**
HAILEY, BLAINE, IDAHO
2002-02-28 12:46:00 No. of Pages: 1
Recorded for: FIRST AMERICAN TITLE
MARSHA RIEMANN Fee: 3.00
Ex-Officio Recorder Deputy
(code to: WTY-OC-COMP DEED)

STATE OF Washington)
 ss.
COUNTY OF NING)

On this 2/25/02, before me the undersigned notary, personally appeared Harry L. Woolley, Jr. and Janet Sue Woolley, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) are subscribed to the within instrument as Co-Trustees and acknowledged to me that they executed the same as such Co-Trustees.

Carol Ann Phelps
Notary Public of WASHINGTON
Residing at SEATTLE
Commission Expires: 11/30/2002



Attachment 10 to Exhibit A
Deed dated 9-4-2003 (Oliver Family Trust to Olivers)

K27202

①

WARRANTY DEED

For Value Received **Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, as Trustees of the Oliver Family Trust dated July 23, 2001**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, husband and wife

whose address is: **983 Scott Street, San Diego, CA 92106**

Hereinafter called the Grantee, the following described premises situated in **Blaine County, Idaho**, to-wit:

Lot 7 of RIVER GROVE RANCH AMENDED, MAY, 1977, according to the official plat thereof, recorded as Instrument No. 172626, records of Blaine County, Idaho.

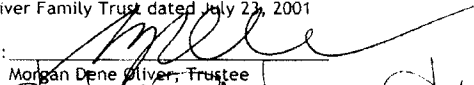
SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

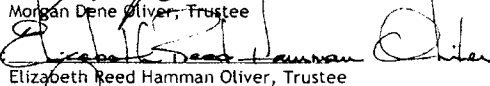
Dated: September 4, 2003

Oliver Family Trust dated July 23, 2001

By:


Morgan Dene Oliver, Trustee

By:

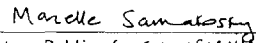

Elizabeth Reed Hamman Oliver, Trustee

STATE OF CALIFORNIA

)ss.

COUNTY OF SAN DIEGO

On this 9th day of September, 2003, before me, the undersigned Notary in and for said State, personally appeared Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, known or identified to me (or proved to me), to be the persons whose names are subscribed to the within instrument as Trustees of the Oliver Family Trust dated July 23, 2001, and acknowledged to me that they executed the same as such Trustees.


Notary Public of CALIFORNIA
Residing at: SAN DIEGO
Commission Expires: 8/9/05



Instrument # 491183

HAILEY, BLAINE, IDAHO
2003-09-11 09:46:00 No. of Pages: 1
Recorded for: FIRST AMERICAN TITLE
MARSHA RIEMANN Fee: 3.00
Ex-Officio Recorder Deputy
Index to: 875403CORP DEED

Attachment 11 to Exhibit A
Deed dated 9-4-2003 (Olivers to Oliver Family Trust)

K27202

WARRANTY DEED

THIS INSTRUMENT FILED FOR RECORD BY
FIRST AMERICAN TITLE CO. AS AN ACCOM-
MODATION ONLY. IT HAS NOT BEEN EXAMINED
AS TO ITS EXECUTION OR AS TO ITS AFFECT
UPON THE TITLE.

For Value Received Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, as Trustees of the Oliver Family Trust dated July 23, 2001

whose address is: 983 Scott Street, San Diego, CA 92106

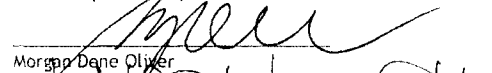
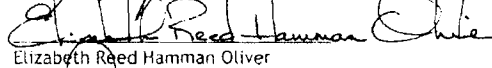
Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

Lot 7 of RIVER GROVE RANCH AMENDED, MAY, 1977, according to the official plat thereof, recorded as Instrument No. 172626, records of Blaine County, Idaho.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: September 4, 2003


Morgan Dene Oliver

Elizabeth Reed Hamman Oliver

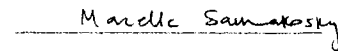
Instrument # 496536

HAILEY, BLAINE, IDAHO
2003-12-12 03:55:00 No. of Pages: 1
Recorded for: FIRST AMERICAN TITLE
MARSHA RIEMANN Fee: 3.00
Ex-Officio Recorder/Deputy
WTS to: WTT/CORP DEED 

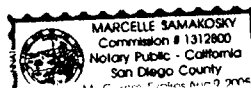
STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

), ss.

On this 9th day of September, 2003, before me, the undersigned Notary in and for said State, personally appeared Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, known or identified to me (or proved to me), to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.



Notary Public of CALIFORNIA
Residing at: SAN DIEGO
Commission Expires: 8/9/05



Attachment 12 to Exhibit A
Deed dated 6-10-1977 (Subdivision to Johnsons)

Order No. 22-4502

DEED

FOR VALUE RECEIVED, VALCO, INC., an Idaho corporation,
a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant,
Bargain, Sell and Convey unto

DEAN C. JOHNSON and LYNNE M. JOHNSON, husband and wife,
grantees whose current address is: Box 1571, Sun Valley, Idaho 83353

the following described real estate, to-wit:

Lot 11 of RIVER GROVE RANCH SUBDIVISION, Blaine County,
Idaho, according to the amended plat thereof recorded
in Book 15 of Plats, Page 10, records of Blaine County,
Idaho.

SUBJECT TO That Mortgage dated December 21, 1976,
executed by Valco, Inc., Mortgagor, to Lloyd J. Walker,
individually and as attorney in fact for Mary E.
Walker, William G. Schmidt and Mary Lou Schmidt,
husband and wife, John Patrick Hamilton and Margaret
Hamilton, husband and wife, Agatha K. Walker, a
widow, and Lloyd J. Walker, as personal representative
of the Estate of Lloyd William Walker, Mortgagee,
recorded December 28, 1976, as Instrument No. 170795,
records of Blaine County, Idaho.

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantees
their heirs and assigns forever

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused
its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its
Secretary this 10th day of June, 1977.

By Dale L. Donnelly
Dale L. Donnelly, PRESIDENT.

ATTEST:
Valerie M. Donnelly
Valerie M. Donnelly, SECRETARY.

STATE OF IDAHO, County of Blaine,
On this 10th day of June, 1977,
before me, a Notary Public in and for said State, personally
appeared DALE L. DONNELLY and
VALERIE M. DONNELLY, known to me to
be the President and Secretary of the corporation
that executed this instrument or the persons who executed
the instrument on behalf of said corporation, and
acknowledged to me that such corporation 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.

Dale L. Donnelly
Notary Public
Residing at Bailey, Idaho
Comm. Expires 2/10/81

STATE OF IDAHO, COUNTY OF Blaine
I hereby certify that this instrument was filed for record at
the request of Judy Fay
at 20 minutes past 1:00 o'clock P.M.
this 10th day of June
1977, in my office, and duly recorded in Book
of Deeds at Page

MAURINE ONEAL
Ex-Officio Recorder

By Patricia K. Snapp
Patricia K. Snapp, Deputy.
Fees \$1.00
Mail to:

INSTRUMENT NO. 174198

Attachment 13 to Exhibit A
Deed dated 6-25-2001 (Johnsons to Brennan)

①

K24169

WARRANTY DEED

Instrument # 453192

HAILEY, BLAINE, IDAHO
2001-07-16 04:07:00 No. of Pages: 1
Recorded for: FIRST AMERICAN TITLE
MARSHA RIEMANN Fee: 3.00
Ex-Officio Recorder Deputy
Index to WTY QC COMP DEED

As part of an IRC 1031 Tax-Deferred Exchange,
For Value Received Dean C. Johnson and Lynne M. Johnson, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Robert M. Brennan, a married man as his sole and separate property

whose address is: **P.O. Box 1991, Sun Valley, ID 83353**

Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

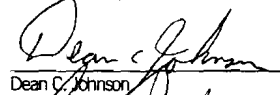
Lot 11 of River Grove Ranch Amended, May, 1977, according to the official plat thereof, recorded as Instrument No. 172626, records of Blaine County, Idaho..

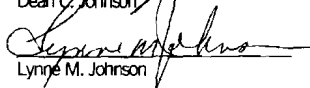
Also identified as "RELINQUISHED PROPERTY" for the above referenced 1031 Tax-Deferred Exchange (No. 01-14400-500).

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: June 25, 2001


Dean C. Johnson


Lynne M. Johnson

STATE OF

COUNTY OF

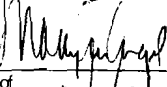
CA
San Diego)ss.

On this *2nd* day of *July*, 2001, before me, the undersigned, personally appeared Dean C. Johnson and Lynne M. Johnson, known or identified to me (or proved to me), to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Notary Public of

Residing at:

Commission Expires:


San Diego CA
1/31/2004



Attachment 14 to Exhibit A
Deed dated 6-19-2001 (Jill Brennan to Robert M. Brennan)

③

K2469

QUITCLAIM DEED

For Value Received **JILL BRENNAN**

do hereby convey, release, remise and forever quit claim unto

ROBERT M. BRENNAN, a married man as his sole and separate property

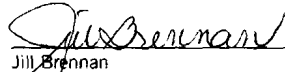
whose address is: **P.O. Box 1991, Sun Valley, ID 83353**

Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

Lot 11 of River Grove Ranch Amended, May, 1977, according to the official plat thereof, recorded as Instrument No. 172626, records of Blaine County, Idaho.

together with their appurtenances.

Dated: June 19, 2001

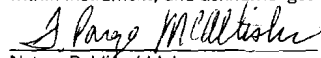

Jill Brennan

STATE OF Idaho)

)ss.

COUNTY OF Blaine)

On this 2nd day of July, in the year of 2001, before me, Paige McAllister, personally appeared Jill Brennan, known or identified to me (or proved to me), to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.


Paige McAllister

Notary Public of Idaho
Residing at: Ketchum, Idaho
Commission Expires: 02/07/07



Instrument # 453193
HAILEY, BLAINE, IDAHO
2001-07-16 04:08:00 No. of Pages: 1
Recorded for: FIRST AMERICAN TITLE
MARSHA RIEMANN Fee: 3.00
Ex-Oficio Recorder Deputy
Instr to: RTT OC CORP DEED

Attachment 15 to Exhibit A
Deed dated 6-19-2001 (Brennan to Olivers)

K24198

WARRANTY DEED

For Value Received **ROBERT M. BRENNAN**, a married man as his sole and separate property

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

MORGAN DENE OLIVER and ELIZABETH HAMMAN OLIVER, husband and wife

whose address is: **983 Scott Street, San Diego, CA 92106**

Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

Lot 11 of River Grove Ranch Amended, May, 1977, according to the official plat thereof, recorded as Instrument No. 172626, records of Blaine County, Idaho..

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantees heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: 06/19/01


Robert M. Brennan

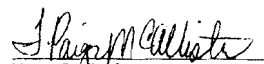
Instrument # 453194
HAILEY, BLAINE IDAHO
2001-07-16 04:09:00 No. of Pages: 1
Recorded for: FIRST AMERICAN TITLE
MARSHA RIEMANN Fee: 3.00
Ex-Officio Recorder, Deputy
IDAHO TO, RTY-OC-CORP DEED

STATE OF Idaho

),ss.

COUNTY OF BLAINE

On this 22nd day of June, 2001, before me, Paige McAllister, personally appeared Robert M. Brennan, known or identified to me (or proved to me), to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.


Notary Public of Idaho
Residing at: Ketchum, Idaho
Commission Expires: 02/07/07



Attachment 16 to Exhibit A
Deed dated 6-25-2001 (Brennan to Olivers)



K-24198

QUITCLAIM DEED

For Value Received **ROBERT M. BRENNAN**, a married man as his sole and separate property,
do hereby convey, release, remise and forever quit claim unto

MORGAN DENE OLIVER and ELIZABETH HAMMAN OLIVER, husband and wife,

whose address is: **983 Scott Street, San Diego, CA 92106**

Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

Any and all water rights pertaining to the following described property:

Lot 11 of River Grove Ranch Amended, May, 1977, according to the official plat thereof, recorded as Instrument No. 172626, records of Blaine County, Idaho.

together with their appurtenances.

Dated: June 25, 2001

Robert M. Brennan

Instrument # 453195
HAILEY, BLAINE, IDAHO
2001-07-16 04:10:00 No. of Pages: 1
Recorded for: FIRST AMERICAN TITLE
MARSHA RIEMANN Fee: 3.00
Es-Officio Recorder Deputy
Index to: NTV/OC-COMP-DEED

STATE OF Idaho)

)ss.

COUNTY OF Blaine)

On this 30th day of July, in the year of 2001, before me, Paige McAllister, personally appeared Robert M. Brennan, known or identified to me (or proved to me), to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Notary Public of Idaho

Residing at: Ketchum, Idaho

Commission Expires: 02/07/07



Attachment 17 to Exhibit A
Deed dated 7-24-2001 (Olivers to Oliver Family Trust)

RECORDING REQUESTED BY

Space Used for Recorder

Instrument # 454090

HAILEY, BLAINE, IDAHO

2004-08-08 03:03:00 No. of Pages: 2

Recorded for: FIRST AMERICAN TITLE

MARSHA RIEMANN

Fee: 5.00

Ex-Officio Recorder Deputy

Index to: WTYGICORP DEED

T 360 Legal (1-94)

Quitclaim Deed

THE UNDERSIGNED GRANTOR(S) DECLARE (s)

DOCUMENTARY TRANSFER TAX IS \$ -0-

☐ _____ unincorporated area ☐ State of Idaho, County of Blaine

Property Location: 106 Mountain View Lane
Blaine County, ID 83333
Lot 11 River Grove Ranch
Blaine County, Idaho

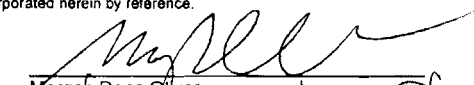
Instrument Number: 172-626

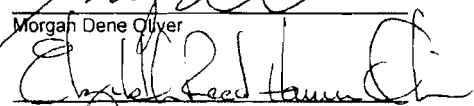
☐ computed on full value of property conveyed, or

☐ computed on full value of liens or encumbrances remaining at time of sale, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, a married couple as their sole and separate property, hereby REMISE(S), RELEASE(S) AND FOREVER QUITCLAIM(S) to Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, as Trustees of the Oliver Family Trust dated July 23, 2001, the following described real property in the County of Blaine, State of Idaho:

Please see Exhibit A attached hereto and incorporated herein by reference.


Morgan Dene Oliver

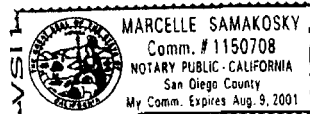

Elizabeth Reed Hamman Oliver

Dated: July 24, 2001

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO)s.s

On July 24, 2001 before me, MARCELLE SAMAKOSKY a Notary Public in and for said County and State, personally appeared Elizabeth Reed Hamman Oliver and Morgan Dene Oliver, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



Signature Marcelle Samakosky

MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE: IF NO PARTY SHOWN, MAIL AS DIRECTED ABOVE

Morgan D Oliver 983 Scott St San Diego, CA
Name Street Address City & State 92101

Exhibit "A"

The land referred to herein is situated in the State of Idaho, County of Blaine, and is described as follows:

Lot 11 of River Grove Ranch Amended, May 1977, according to the official platt thereof, recorded as Instrument No. 172626, records of Blaine County, Idaho

Attachment 18 to Exhibit A
Deed dated 9-4-2003 (Oliver Family Trust to Olivers)

K27396

WARRANTY DEED

For Value Received Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, as Trustees of the Oliver Family Trust dated July 23, 2001

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, husband and wife

whose address is: 983 Scott Street, San Diego, CA 92106

Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

Lot 11 of RIVER GROVE RANCH AMENDED, MAY, 1977, according to the official plat thereof, recorded as Instrument No. 172626, records of Blaine County, Idaho.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: September 4, 2003

Oliver Family Trust dated July 23, 2001

By:

Morgan Dene Oliver, Trustee

By:

Elizabeth Reed Hamman Oliver, Trustee

STATE OF CALIFORNIA

)ss.

COUNTY OF SAN DIEGO

On this 11th day of September, 2003, before me, the undersigned Notary in and for said State, personally appeared Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, known or identified to me (or proved to me), to be the persons whose names are subscribed to the within instrument as Trustees of the Oliver Family Trust dated July 23, 2001, and acknowledged to me that they executed the same as such Trustees.

Marcelle Samakosky
Notary Public of: CALIFORNIA
Residing at: SAN DIEGO
Commission Expires: 8/9/05



Instrument # 491316

HAILEY, BLAINE, IDAHO
2003-09-12 03:55:00 No. of Pages: 1
Recorded for: FIRST AMERICAN TITLE
MARSHA RIEMANN Fee: 3.00
Ex-Officio Recorder Deputy
www.firerch.com DEED

Attachment 19 to Exhibit A
Deed dated 9-4-2003 (Olivers to Oliver Family Trust)

K27396

WARRANTY DEED

For Value Received Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, as Trustees of the Oliver Family Trust dated July 23, 2001

whose address is: 983 Scott Street, San Diego, CA 92106

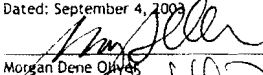
Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

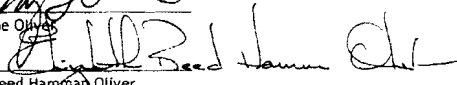
Lot 11 of RIVER GROVE RANCH AMENDED, MAY, 1977, according to the official plat thereof, recorded as Instrument No. 172626, records of Blaine County, Idaho.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: September 4, 2003


Morgan Dene Oliver

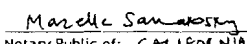

Elizabeth Reed Hamman Oliver

STATE OF CALIFORNIA

), ss.

COUNTY OF SAN DIEGO

On this 11th day of September, 2003, before me, the undersigned Notary in and for said State, personally appeared Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, known or identified to me (or proved to me), to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.


Notary Public of: CALIFORNIA
Residing at: SAN DIEGO
Commission Expires: 8/9/05



Instrument # 491318

HAILEY, BLAINE, IDAHO

2003-09-12 03:57:00 No. of Pages: 1

Recorded for: FIRST AMERICAN TITLE

MARSHA RIEMANN Fee: 3.00

Ex-Officio Recorder Deputy

Index to: WTT00000000 DEED

Exhibit B To Notice of Change in Water Right Ownership
Map Showing Irrigated Acreage Held by Oliver Family Trust



Exhibit C To Notice of Change in Water Right Ownership

Map Showing Recommended Place of Use for Water Right No. 37-862

Recommended place of use for 37-862.

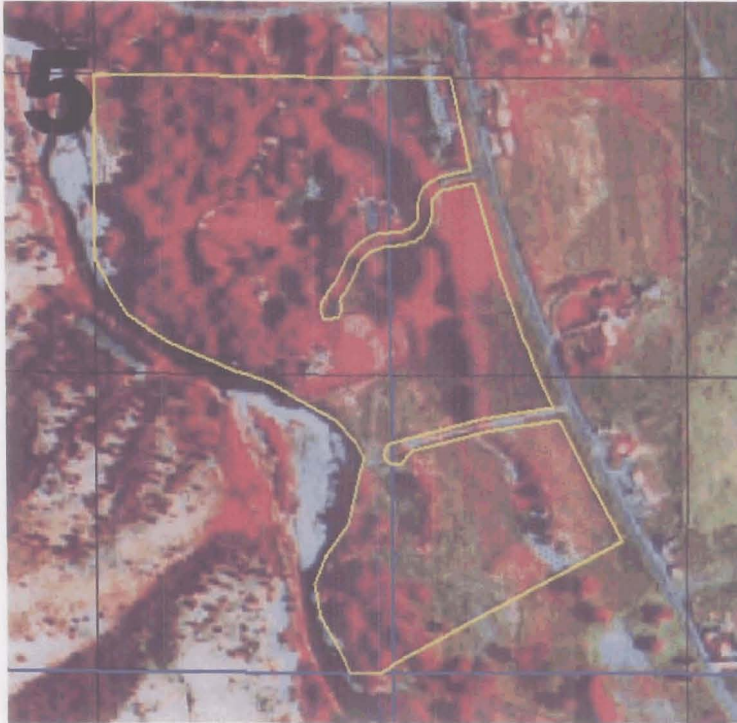


Exhibit D To Notice of Change in Water Right Ownership

Copy of Power of Attorney (Original on File at IDWR)

SPECIAL POWER OF ATTORNEY FOR WATER RIGHTS

Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, as Trustees of the Oliver Family Trust, hereby appoint the attorneys of Givens Pursley LLP, 601 West Bannock Street, P.O. Box 2720, Boise, Idaho, 83701 as their true and lawful attorneys for the purpose of signing on their behalf the following forms for submission to the Idaho Department of Water Resources and/or the Snake River Basin Adjudication:

1. Notice of Claim to a Water Right;
2. Application for Amendment of Permit to appropriate the Waters of the State of Idaho;
3. Notice of Change of Water Right Ownership;
4. Request for Extension of Time to Provide Additional Time in Which to Submit Proof of Beneficial Use for a Water Right Permit;
5. Notice of Protest;
6. Application for Transfer of a Water Right;
7. Proof of Beneficial Use;
8. Application for Exchange of Water;
9. Application for Extension of Time to Avoid Forfeiture of a Water Right;
10. Application to Sell or Lease a Water Right to the Water Supply Bank;
11. Application for Temporary Approval of a Water Application;
12. Application for Permit to appropriate the Waters of the State of Idaho;
13. Pleadings submitted to the Snake River Basin Adjudication in connection with water rights of the Oliver Family Trust; and
14. Any other document in support or furtherance of any of the above.

All may rely on such authority. This Special Power of Attorney shall be effective until revoked in writing by either Morgan Dene Oliver or Elizabeth Reed Hamman Oliver.

For purposes of the exercise of the powers herein granted, the facsimile signature of said attorneys shall be lawful and binding and any person may rely upon such facsimile signature as if it were an original.

[End of text]

IN WITNESS WHEREOF, we have executed this Special Power of Attorney effective as of the last date noted.

Dated: 12-20-06

Dated: 12-20-06

Morgan Dene Oliver
Morgan Dene Oliver, Trustee

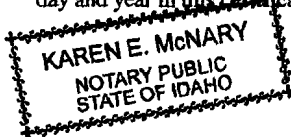
Elizabeth Reed Hamman Oliver
Elizabeth Reed Hamman Oliver, Trustee

ACKNOWLEDGMENTS

State of Idaho)
) ss.
County of Blaine)

On this 20 day of DECEMBER 2006, before me, a Notary Public, in and for said County and State, personally appeared Morgan Dene Oliver, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of the Oliver Family Trust and acknowledged to me that he executed the same as Trustee of the Oliver Family Trust.

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

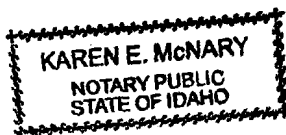


Karen E. McNary
Notary Public for Idaho
Residing at Boise, ID
My Commission expires 9-28-10

State of Idaho)
) ss.
County of Blaine)

On this 20 day of DECEMBER 2006, before me, a Notary Public, in and for said County and State, personally appeared Elizabeth Reed Hamman Oliver, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of the Oliver Family Trust and acknowledged to me that she executed the same as Trustee of the Oliver Family Trust.

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



Karen E. McNary
Notary Public for Idaho
Residing at Boise, ID
My Commission expires 9-28-10

Exhibit E To Notice of Change in Water Right Ownership
Email From Craig L. Saxton (October 29, 2007)

Filters Used:
1 Tagged Record

Email Report
Form Format

Date Printed: 11/10/2007
Time Printed: 11:57AM
Printed By: CHM

Date 10/29/2007 Time 11:15AM 11:15AM Duration 0.00 (hours) Code
Subject FW: Change of Ownership for 37-862 Staff Christopher H Meyer
Client Oliver, Dene MatRef Oliver - Water Rights MatNo 8784-1w
From Christopher H Meyer
To 'Allen.Merritt@idwr.idaho.gov'
CC To 'craig.saxton@idwr.idaho.gov'; 'leebrown@cox.net'
Bcc To
Reminders (days before) Follow N Done N Notify N Hide N Trigger N Private N Status
Email Topic User3
User2 User4

Allen,
Here the the email I rec'd from Craig Saxton.
-Chris

Craig, thanks for the speedy response!
-Chris

cc: Lee Brown

(Reply from chris_meyer@givenspursley.com)

From: Saxton, Craig [mailto:Craig.Saxton@idwr.idaho.gov]
Sent: Monday, October 29, 2007 11:05 AM
To: Christopher H Meyer
Subject: Change of Ownership for 37-862

Dear Mr. Meyer,

I looked into the location of file 37-862 and it is currently at the southern region office in Twin Falls. The SRBA court summary report for 37-862 does not indicate that they have received a NCAP showing that there has been a change in the water right record, so as far as I can tell, the change of ownership is still at Southern waiting to be completed. You will have to contact Southern Region to find out the status on that (208-736-3033). Sorry I don't know more there.

As far as how to split the right:

You said that your client owns 8.3 acres of the recommended place of use for 37-862. In most cases,

Filters Used:
1 Tagged Record

Email Report

Form Format

Date Printed: 11/10/2007
Time Printed: 11:57AM
Printed By: CHM

when a water right is split due to a change of ownership, it is split proportionally.

37-862 was recommended for 3.2 cfs on 75.4 acres or 0.0424 cfs per acre. So the proportionate diversion rate for 8.3 acres (I found 8.2 acres) would be $(8.3 \text{ acres})(0.0424) = 0.35 \text{ cfs}$.

Hope this helps.

Have a good Monday!

Craig L. Saxton

NOV 13 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

LAW OFFICES

601 W. Bannock Street
PO Box 2720, Boise, Idaho 83701
TELEPHONE: 208 388-1200
FACSIMILE: 208 388-1300
WEBSITE: www.givenspursley.com

CHRISTOPHER H. MEYER

DIRECT DIAL: 208 388-1236
CELL: 208 407-2792
EMAIL: chris.meyer@givenspursley.com

Gary G. Allen	Jeremy G. Ladle	G. Andrew Page
Peter G. Barton	Michael P. Lawrence	Angela M. Reed
Christopher J. Beeson	Franklin G. Lee	Scott A. Tschirgi, LL.M.
Clint R. Bolinder	David R. Lombardi	J. Will Varin
Erik J. Bolinder	John M. Marshall	Conley E. Ward
William C. Cole	Kenneth R. McClure	Robert B. White
Michael C. Creamer	Kelly Greene McConnell	Terri R. Yost
Amber N. Dina	Cynthia A. Melillo	
Kristin Bjorkman Dunn	Christopher H. Meyer	RETIRED
Thomas E. Dvorak	L. Edward Miller	Kenneth L. Pursley
Jeffrey C. Fereday	Patrick J. Miller	Raymond D. Givens
Martin C. Hendrickson	Judson B. Montgomery	James A. McClure
Steven J. Hippler	Deborah E. Nelson	
Debora K. Kristensen	W. Hugh O'Riordan, LL.M.	
Anne C. Kunkel		

November 12, 2007

Federal Express

Allen Merritt
Douglas Jones
Idaho Department of Water Resources
Southern Region
1341 Fillmore Street, Ste. 200
Twin Falls, Idaho 83301-3380

Re: Notice of Change in Water Right Ownership – Water Right No. 37-862

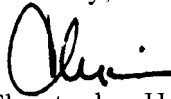
Gentlemen:

Enclosed for filing is the original and one copy of the Notice of Change in Water Right Ownership for Water Right No. 37-862. For your reference I have also enclosed copies of the two Standard Form 1 Objections for 37-862 and 37-22120 that are being filed today with the SRBA Court.

It is my understanding that there is no filing fee for this Notice. Please advise if that is not the case.

Thank you for your help in this. If I can provide you with any further information, please call me.

Sincerely,



Christopher H. Meyer

Enclosures: Notice of Change in Water Right Ownership (original) and a copy to conform
Self-addressed, Stamped envelope
Standard Form 1 Objection for Water Right No. 37-862
Standard Form 1 Objection for Water Right No. 37-22120

cc: Dene Oliver

CHM:cc ltr to Merritt and Jones re Change in Water right Ownership

COPY

8784-1

RECEIVED

Form 42 248-12 1409(6) 12/2006

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

AUG 09 2007

DEPARTMENT OF
WATER RESOURCES

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 (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s).	Adjudication Claim No(s).	Split(s)	Water Right No(s).	Adjudication Claim No(s).	Split(s)
37-862					

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 diversion 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 claims(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation you must submit a 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) Harry L. Woolley, Jr. Revocable Trust (Lot 7)
Robert M. Brennan (Lot 11)
4. New Owner/Claimant(s) Oliver Family Trust
Name Connector (Check one) [] and, [] or, [] and/or
- New Mailing Address c/o OliverMacMillan, 733 8th Avenue
- City, State and ZIP Code San Diego, CA 92101
- New Telephone Number (619) 321-1111

5. Date you acquired the property 6-25-2001 (Lot 11); 2-21-2002 (Lot 7). See Exhibit A
6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in 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 (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.

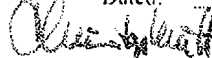
DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-foot per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number <u>37-862</u>		
Irrigation	<u>0.17 cfs (one miner's inch per acre)</u>	<u>Irrigates a total of 8.3 acres of pasture and lawn located in Lot 7 (5.17 acres) and Lot 11 (4.87 acres) totaling 10.04 acres. The portion of Lot 11 to the west of the Wood River is not included. The irrigated acres owned by the Oliver Family Trust are depicted in Exhibit B. All acres irrigated by Water Right 37-862 (prior to this split) are depicted in Exhibit C.</u>
Stock		
Domestic		
Other		
Totals	<u>0.17 cfs</u>	
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

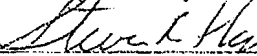
7. Signature of New Owner(s) or Claimant(s)

Dated:

8-8-2007


Christopher H. Meyer

Power of Attorney attached
(title if applicable)


Steven Hannula, P.E., P.G.

Hydrogeologist/Engineer
(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only

Received by _____ Date _____ Receipt Amt. _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

Exhibit A To Notice of Change in Water Right Ownership

History of Ownership

The Oliver Family Trust is the current owner of Lots 7 and 11 of River Grove Ranch (Amended) Subdivision in Blaine County, Idaho. The subdivision is located in Blaine County, north of the City of Hailey. A table summarizing the conveyances affecting Lot 7 is attached as Attachment 1 to Exhibit A. A table summarizing conveyances affecting Lot 11 is attached as Attachment 2 to Exhibit A.

Subdivision

On 12-28-1976, the subdivision was conveyed from the then owner, Lloyd J. Walker, individually and as attorney in fact for Mary E. Walker, William G. Schmidt and Mary Lou Schmidt, husband and wife, John Patrick Hamilton and Margaret Hamilton, husband and wife, Agatha K. Walker, a widow, and Lloyd J. Walker as personal representative of the Estate of Lloyd William Walker, to Valco, Inc. A copy of this deed is attached as Attachment 3 to Exhibit A.

Lot 7

On 9-23-1977 (date of deed), Lot 7 was conveyed from the then owner, Valco, Inc., to Robert H. McCollum and Susan K. McCollum, husband and wife. A copy of this deed is attached as Attachment 4 to Exhibit A.

On 7-23-1999 (date of deed), Lot 7 was conveyed to Eric D. Ward and Shawna Ward, husband and wife. A copy of this deed is attached as Attachment 5 to Exhibit A.

On 6-26-2000 (date of deed), Lot 7 was conveyed to Harry L. Woolley, Jr. Revocable Trust Dated 12/2/1999, Harry L. Woolley, Jr. and Janet Sue Woolley, Co-Trustees. A copy of this deed is attached as Attachment 6 to Exhibit A.

On 11-28-2001 (date of deed), Lot 7 was conveyed from the then owner, Harry L. Woolley, Jr. Revocable Trust Dated 12/2/1999, Harry L. Woolley, Jr. and Janet Sue Woolley, Co-Trustees, to Harry L. Woolley, Jr. and Janet Sue Woolley, husband and wife. A copy of this deed is attached as Attachment 7 to Exhibit A.

Later on the same day, 11-28-2001 (date of deed), Lot 7 was conveyed back to Harry L. Woolley, Jr. Revocable Trust Dated 12/2/1999, Harry L. Woolley, Jr. and Janet Sue Woolley, Co-Trustees. A copy of this deed is attached as Attachment 8 to Exhibit A.

On 2-21-2002 (date of deed), Lot 7 was conveyed to Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, as Trustees of the Oliver Family Trust dated July 23, 2001 ("Oliver Family Trust"). A copy of this deed is attached as Attachment 9 to Exhibit A.

On 9-4-2003 (date of deed), Lot 7 was conveyed to Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, Husband and Wife. A copy of this deed is attached as Attachment 10 to Exhibit A.

Later on the same day, 9-4-2003 (date of deed), Lot 7 was conveyed back to the Oliver Family Trust. A copy of this deed is attached as Attachment 11 to Exhibit A.

Lot 11

On 6-10-1977 (date of deed), Lot 11 was conveyed from the then owner, Valco, Inc., to Dean C. Johnson and Lynne M. Johnson, husband and wife. A copy of this deed is attached as Attachment 12 to Exhibit A.

On 6-25-2001 (date of deed), Lot 11 of conveyed to Robert M. Brennan, a married man as his sole and separate property. A copy of this deed is attached as Attachment 13 to Exhibit A.

On 6-19-2001 (date of deed), Lot 11 was conveyed from Jill Brennan, to Robert M. Brennan, a married man as his sole and separate property. A copy of this deed is attached as Attachment 14 to Exhibit A.

On 6-19-2001 (date of deed), Lot 11 was conveyed to Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, husband and wife. A copy of this deed is attached as Attachment 15 to Exhibit A.

On 6-25-2001 (date of deed), out of an abundance of caution, water rights appurtenant to Lot 11 were conveyed from Robert M. Brennan, a married man as his sole and separate property, to Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, husband and wife. A copy of this deed is attached as Attachment 16 to Exhibit A.

On 7-24-2001 (date of deed), Lot 11 was conveyed to the Oliver Family Trust. A copy of this deed is attached as Attachment 17 to Exhibit A.

On 9-4-2003 (date of deed), Lot 11 was conveyed again to Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, husband and wife. A copy of this deed is attached as Attachment 18 to Exhibit A.

Later on the same day, 9-4-2003 (date of deed), Lot 11 was conveyed back to the Oliver Family Trust. A copy of this deed is attached as Attachment 19 to Exhibit A.

Attachment 1 to Exhibit A

Table summarizing conveyances affecting Lot 7

Ownership of Lot 7

Attachment No. to Exhibit A	Date of Deed (undated)	Date of Notary	Date of Recording	Instrument No.	Type of Deed	Premises	Grantor	Grantee
Attachment 3		12/28/1976	12/28/1976	170754	Warranty	Fee & Appurtenances	Lloyd J. Walker, individually and as attorney in fact for Mary E. Walker, William G. Schmidt and Mary Lou Schmidt, husband and wife, John Patrick Hamilton and Margaret Hamilton, husband and wife, Agatha K. Walker, a widow, and Lloyd J. Walker as personal representative of the Estate of Lloyd William Walker	Valco, Inc.
Attachment 4	9/23/1977	10/14/1977	10/14/1977	177332		Fee & Appurtenances	Valco, Inc.	Robert H. McCollum and Susan K. McCollum, husband and wife
Attachment 5	7/23/1999	7/23/1999	7/26/1999	429814	Warranty	Fee & Appurtenances	Robert H. McCollum and Susan K. McCollum, husband and wife	Eric D. Ward and Shawna Ward, husband and wife
Attachment 6	6/26/2000	6/26/2000	6/27/2000	440585	Warranty	Fee & Appurtenances	Eric D. Ward and Shawna Ward, husband and wife	Harry L. Woolley, Jr. Revocable Trust Dated 12/20/1999, Harry L. Woolley, Jr. and Janet Sue Woolley, Co-Trustees
Attachment 7	11/28/2001	11/28/2001	12/4/2001	458758	Quitclaim	Fee & Appurtenances	Harry L. Woolley, Jr. Revocable Trust Dated 12/20/99, Harry L. Woolley, Jr. and Janet Sue Woolley, Co-Trustees	Harry L. Woolley, Jr. and Janet Sue Woolley, husband and wife
Attachment 8	11/28/2001	11/28/2001	12/5/2001	458805	Quitclaim	Fee & Appurtenances	Harry L. Woolley, Jr. and Janet Sue Woolley, husband and wife	Harry L. Woolley, Jr. Revocable Trust Dated 12/20/99, Harry L. Woolley, Jr. and Janet Sue Woolley, Co-Trustees
Attachment 9	2/23/2002	2/25/2002	2/26/2002	462042	Warranty	Fee & Appurtenances	Harry L. Woolley, Jr. Revocable Trust Dated 12/20/1999, Harry L. Woolley, Jr. and Janet Sue Woolley, Co-Trustees	Morgan Dene Oliver and Elizabeth Reed Hannan Oliver, as Trustees of The Oliver Family Trust Dated July 23, 2001
Attachment 10	9/4/2003	9/9/2003	9/11/2003	491183	Warranty	Fee & Appurtenances	Morgan Dene Oliver and Elizabeth Reed Hannan Oliver, as Trustees of the Oliver Family Trust Dated July 23, 2001	Morgan Dene Oliver and Elizabeth Reed Hannan Oliver, husband and wife
Attachment 11	9/4/2003	9/9/2003	12/12/2003	490536	Warranty	Fee & Appurtenances	Morgan Dene Oliver and Elizabeth Reed Hannan Oliver, husband and wife	Morgan Dene Oliver and Elizabeth Reed Hannan Oliver, as Trustees of the Oliver Family Trust Dated 7/23/2001
Note that the two conveyances by warranty deed dated 11/28/2001 were intended to clarify ownership in the Woolley Trust								
Note that the last two conveyances by warranty deed dated 9-4-2003 were intended to clarify ownership in the Oliver Family Trust								

Attachment 2 to Exhibit A

Table summarizing conveyances affecting Lot 11

Ownership of Lot 11

Attachment No.	Date of Deed (undated)	Date of Notary	Date of Recording	Instrument No.	Type of Deed	Premises	Grantor	Grantee
Attachment 3 to Exhibit A		12/28/1976	12/28/1976	170794	Warranty	Fee & Appurtenances	Lloyd J. Walker, individually and as attorney in fact for Mary E. Walker, William G. Schmidt and Mary Lou Schmidt, husband and wife, John Patrick Hamilton and Margaret Hamilton, husband and wife, Agatha K. Walker, a widow, and Lloyd J. Walker as personal representative of the Estate of Lloyd William Walker	Valco, Inc.
Attachment 12 to Exhibit A	6/10/1977	6/9/1977 (hard to read)	6/10/1977	174198		Fee & Appurtenances	Valco, Inc.	Dean C. Johnson and Lynne M. Johnson, husband and wife
Attachment 13 to Exhibit A	6/25/2001	7/2/2001	7/16/2001	453192	Warranty	Fee & Appurtenances	Dean C. Johnson and Lynne M. Johnson, husband and wife	Robert M. Brennan, a married man as his sole and separate property
Attachment 14 to Exhibit A	6/19/2001	7/2/2001	7/16/2001	453193	Quitclaim	Fee & Appurtenances	Jill Brennan	Robert M. Brennan, a married man as his sole and separate property
Attachment 15 to Exhibit A	6/19/2001	7/3/2001	7/16/2001	453194	Warranty	Fee & Appurtenances	Robert M. Brennan, a married man as his sole and separate property	Morgan Dene Oliver and Elizabeth Hamman Oliver, husband and wife
Attachment 16 to Exhibit A	6/25/2001	7/3/2001	7/16/2001	453195	Quitclaim	Water Rights	Robert M. Brennan, a married man as his sole and separate property	Morgan Dene Oliver and Elizabeth Hamman Oliver, husband and wife
Attachment 17 to Exhibit A	7/24/2001	7/24/2001	8/8/2001	454090	Quitclaim	Fee & Appurtenances	Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, a married couple	Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, as Trustees of the Oliver Family Trust dated July 23, 2001
Attachment 18 to Exhibit A	9/4/2003	9/11/2003	9/12/2003	491316	Warranty	Fee & Appurtenances	Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, as Trustees of the Oliver Family Trust dated July 23, 2001	Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, husband and wife
Attachment 19 to Exhibit A	9/4/2003	9/11/2003	9/12/2003	491318	Warranty	Fee & Appurtenances	Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, husband and wife	Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, as Trustees of the Oliver Family Trust dated July 23, 2001
Note that the conveyances by quitclaim deed dated 6-25-2001 was intended to clarify ownership in Mr. and Mrs. Oliver. However, the water rights had already been conveyed by the warranty deed dated 6-19-2001.								
Note that the last two conveyances by warranty deed dated 9-4-2003 were intended to clarify ownership in the Oliver Family Trust								

Attachment 3 to Exhibit A
Deed dated 12-28-1976 (Subdivision Deed)

WARRANTY DEED

For Value Received

Lloyd J. Walker, individually and as attorney in fact for Mary E. Walker, William G. Schmidt and Mary Lou Schmidt, husband and wife, John Patrick Hamilton and Margaret Hamilton, husband and wife, Agatha K. Walker, a widow, and Lloyd J. Walker as personal representative of the Estate of Lloyd William Walker

Hereinafter called the grantor, hereby grants, bargains, sells and conveys unto

Valco, Inc.

whose address is:

Box 623, Ketchum, Idaho 83340

Hereinafter called the grantee, the following described premises, in Blaine County, Idaho, to-wit:

A parcel of land in Township 2 North, Range 18 East, B.M., Blaine County, Idaho, more particularly described as follows:

All of the W $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 4 lying west of U. S. Highway 93, excepting the Power Company Canal right-of-way, also excepting a parcel of land described as follows:

Commencing at the C.W. Corner of said Section 4:

THENCE N. 90°00'00" E., 852.76 feet to the true point of beginning;

THENCE N. 29°00'10" W., 160.67 feet;

THENCE N. 60°59'50" E., 408.15 feet to the west boundary of U. S. Highway 93;

THENCE S. 29°00'10" E., 386.94 feet along the west boundary of U. S. Highway 93;

THENCE N. 90°00'00" W., 466.67 feet to the true point of beginning.

And also, the E $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 5, except the Power Company Right-of-way.

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

Dated:

Lloyd J. Walker
Lloyd J. Walker

William G. Schmidt
William G. Schmidt

Mary E. Walker
Mary E. Walker

Lloyd J. Walker
By: Lloyd J. Walker

Lloyd J. Walker
By: Lloyd J. Walker

Mary Lou Schmidt
Mary Lou Schmidt

Lloyd J. Walker
By: Lloyd J. Walker

John Patrick Hamilton Agatha K. Walker
 John Patrick Hamilton Agatha K. Walker
Lloyd J. Walker Lloyd J. Walker
 By: Lloyd J. Walker By: Lloyd J. Walker
Margaret Hamilton Lloyd J. Walker
 Margaret Hamilton Lloyd J. Walker, personal
 representative of the Estate
 of Lloyd William Walker
Lloyd J. Walker
 By: Lloyd J. Walker

STATE OF IDAHO)
) ss.
 County of Blaine)

On this 20th day of December, 1976, before me, the undersigned, a Notary Public for Idaho, personally appeared Lloyd J. Walker, individually and as attorney in fact for Mary E. Walker, William G. Schmidt and Mary Lou Schmidt, husband and wife, John Patrick Hamilton and Margaret Hamilton, husband and wife, and Agatha K. Walker, a widow, and Lloyd J. Walker as personal representative of the Estate of Lloyd William Walker, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that he 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.

Quincy L. Lusk
 Notary Public for Idaho
 Residing at San Francisco, Idaho



Notary Public
 Dec 22 76
 Community Bank
 MARIE IVE LILVA
 Cashier
 Boise

170796

Attachment 4 to Exhibit A
Deed dated 9-23-1977 (Subdivision to McCollums)

DEED	
FOR VALUE RECEIVED, VALCO, INC., an Idaho corporation, a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto ROBERT H. MCCOLLUM and SUSAN K. MCCOLLUM, husband and wife, grantees whose current address is 262 Santa Rita Avenue, Palo Alto, California 94301 the following described real estate, to-wit: Lot 7 of RIVER GROVE RANCH SUBDIVISION, Blaine County, Idaho, according to the amended plat thereof recorded in Book 15 of Plats, Page 10, records of Blaine County, Idaho. SUBJECT TO That Mortgage dated December 21, 1976, executed by Valco, Inc., Mortgagor, to Lloyd J. Walker, individually and as attorney in fact for Mary E. Walker, William G. Schmidt and Mary Lou Schmidt, husband and wife, John Patrick Hamilton and Margaret Hamilton, husband and wife, Agatha K. Walker, a widow, and Lloyd J. Walker, as personal representative of the Estate of Lloyd William Walker, Mortgagee, recorded December 28, 1976, as Instrument No. 170795, records of Blaine County, Idaho. TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantees their heirs and assigns forever IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Secretary this 23rd day of September, 1977. By <u><i>Dale L. Donnelly</i></u> Dale L. Donnelly, PRESIDENT. ATTEST: <u><i>Valerie M. Donnelly</i></u> Valerie M. Donnelly, SECRETARY.	
STATE OF IDAHO, County of Blaine On this <u>14</u> day of <u>Sept</u>, 1977. before me, a Notary Public in and for said State, personally appeared DALE L. DONNELLY and VALERIE M. DONNELLY, known to me to be the President and Secretary of the corporation that executed this instrument or the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation 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. <u><i>Dale L. Donnelly</i></u> Notary Public Residing at <u>Hailey</u>, Idaho Comm. Expires <u>2/10/81</u>	STATE OF IDAHO, COUNTY OF <u>Blaine</u> I hereby certify that this instrument was filed for record at the request of <u>Valco, Inc.</u> at <u>54</u> minutes past <u>4</u>: <u>00</u> o'clock <u>PM</u>, this <u>14</u> day of <u>Sept</u>, 19<u>77</u>, in my office, and duly recorded in Book of Deeds at Page MARIE VIE LLYA Ex-Officio Recorder By <u><i>James A. Lyle</i></u> Deputy. Fees \$ <u>6.00</u> Mail to, <u>SEP</u>

INSTRUMENT No. 177332

Attachment 5 to Exhibit A
Deed dated 7-23-1999 (McCollums to Wards)

Order No. 22595

WARRANTY DEED

429814
Deed
FIRST AMERICAN-TITLE
JUL 23 1999
FEE \$ 2.00 - MP

For Value Received

Robert H. McCollum and Susan K. McCollum, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Eric D. Ward and Shawna Ward, husband and wife

whose address is: **P.O. Box 604, Hailey, ID 83333**

Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

Lot 7 of RIVER GROVE RANCH AMENDED, MAY, 1977, according to the official plat thereof, recorded as Instrument No. 172626, records of Blaine County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: July 23, 1999

Robert H. McCollum
Robert H. McCollum

Susan K. McCollum
Susan K. McCollum

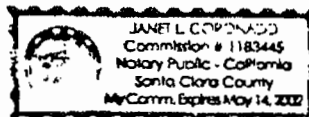
State of California

County of Santa Clara

On July 23, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Robert H. McCollum and Susan K. McCollum personally known to me (or whose names are subscribed to the foregoing instrument) to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged to me that they executed the same.

WITNESS my hand and official seal.

Signature: *Janet L. Coronado*
Residing: Sunnyvale, CA
Commission Expires: May 14, 2002



Attachment 6 to Exhibit A
Deed dated 6-26-2000 (Wards to Woolley Trust)

1023406

WARRANTY DEED Instrument # 440685

HARLEY BLAKE, IDAHO
2000-06-27 07:54:00 No. of Pages: 1
Recorded for: FIRST AMERICAN TITLE
MANISHA RIEMANN Fee: 3.00
Ex-Officio Recorder Deputy
Index #: 0700000000 0000

For Value Received Eric D. Ward and Shawna Ward, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Harry L. Woolley, Jr. Revocable Trust Dated 12/20/1999, Harry L. Woolley, Jr. and Janet Sue Woolley, Co. Trustees

whose address is: 1016 NE 105th Street, Miami Shores, FL 33130

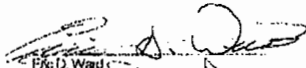
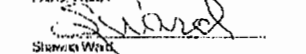
Hereinafter called the Grantee, the following described premises situated in Blaine County, ID, to wit:

Lot 7 of RIVER CROVE RANCH AMENDED, MAY, 1977, according to the official plat thereof, recorded as Instrument No. 172526, records of Blaine County, Idaho.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises, that said premises are free from all encumbrances except current year taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

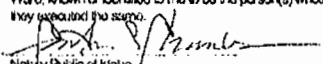
Dated: June 26, 2000


Eric D. Ward

Shawna Ward

STATE OF Idaho

COUNTY OF Blaine

On this 26th day of June, 2000, before me, a Notary Public in and for said State, personally appeared Eric D. Ward and Shawna Ward, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.


Notary Public of Idaho
Residing at: Harley, ID
Commission Expires: 05/15/04



Attachment 7 to Exhibit A
Deed dated 11-28-2001 (Woolley Trust to Woolleys)

NOV-28-2001 WED 10:37 AM

FAX NO. 208 726 1062

P. 05/06

Order No. 50345

QUITCLAIM DEED

Instrument # 458768

HAILEY, BLAINE, IDAHO

2001-12-04 04:01:00 No. of Pages: 1

Recorded for: AMERITITLE

MARSHA RIEMANN

Fee: 3.00

Ex-Office Recorder: Deputy

Index to: WYNDROP CORP. 01/05

FOR VALUE RECEIVED

HARRY L. WOOLLEY, JR. REVOCABLE TRUST DATED 12/20/89, HARRY L. WOOLLEY, JR AND JANET SUE WOOLLEY, CO-TRUSTEES

do hereby CONVEY, RELEASE, REMISE and FOREVER quit claim unto

HARRY L. WOOLLEY, JR AND JANET SUE WOOLLEY, HUSBAND AND WIFE

whose address is: 400 Wall Street #306, Seattle, WA 98121

(the following described premises situated in Blaine County, Idaho, to wit:

Lot 7 of RIVER GROVE RANCH AMENDED MAY, 1977, according to the official plat thereof, recorded as instrument No. 172626, records of Blaine County, Idaho.

together with their appurtenances.

Dated: November 28, 2001

[Signature of Harry L. Woolley, Jr.]
Harry L. Woolley, Jr., trustee

[Signature of Janet Sue Woolley]
Janet Sue Woolley, trustee

State of Washington)

County of King) ss.

On this 28th day of November, in the year 2001, before me, the undersigned, personally appeared Harry L. Woolley, Jr and Janet Sue Woolley, known or identified to me to be the person(s) whose name is/are subscribed to the within instrument as trustee(s) of the HARRY L. WOOLLEY, JR. REVOCABLE TRUST DATED 12/20/89 and acknowledged to me that he/she/they executed the same as such trustee(s).

WITNESS my hand and official seal

[Signature of Sharon L. Forney]
Notary Public SHARON L. FORNEY
Commission Expires: 11-15-2002



Attachment 8 to Exhibit A
Deed dated 11-28-2001 (Woolleys to Woolley Trust)

NJV-28-2001 WED 10:37 AM

FAX NO. 208 726 1062

P. 06/06

Order No. 50345

Instrument # 458805

HARLEY, BLAINE, IDAHO

2001-12-05 03:18:00 No. of Pages: 1

Recorded for : AMERITITLE

MARSHA RIEMANN

Fee: 3.00

Ex-Officio Recorder Deputy

Index to WYDOCORP DEED

QUITCLAIM DEED

FOR VALUE RECEIVED

HARRY L. WOOLLEY, JR AND JANET SUE WOOLLEY, HUSBAND AND WIFE

do hereby CONVEY, RELEASE, REMISE and FOREVER quit claim unto

HARRY L. WOOLLEY, JR. REVOCABLE TRUST DATED 12/20/99, HARRY L. WOOLLEY, JR AND JANET SUE WOOLLEY, CO-TRUSTEES

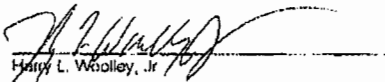
whose address is: 400 Wall Street #306, Seattle, WA 98121

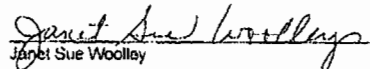
the following described premises situated in Blaine County, Idaho, to wit.

Lot 7 of RIVER GROVE RANCH AMENDED MAY, 1977, according to the official plat thereof, recorded as Instrument No. 172626, records of Blaine County, Idaho.

together with their appurtenances.

Dated: November 28, 2001

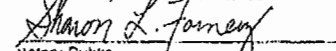

Harry L. Woolley, Jr.


Janet Sue Woolley

State of Washington
County of King } ss.

On this 28th day of November in the year 2001 before me, the undersigned, personally appeared Harry L. Woolley and Janet Sue Woolley known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.


Notary Public
Commission Expires 11-15-2002
SHARON L. FORNEY



$\mathcal{L}$

WARRANTY DEED

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

whose address is: 983 Scott Street, San Diego, CA. 92106

Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

Buyer Simultaneous Exchange

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments; and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises; and that Grantor will warrant and defend the same from all claims whatsoever.

Unexl. February 23, 2002

Woolley,
Harry L.-Woolley, Jr. Revocable Trust dated 12/20/99, Harry L. Woolley, Jr. and Janet Sue Woolley, Co-Trustees

BY: Harry L. Woxley, Jr.
Harry L. Woxley, Jr. Trustee

BY: Spencer L. Woolley, Trustee
Spencer L. Woolley, Co-Trustee

Instrument # 462042
HAILEY, BLAINE, IDAHO
2002-07-28 12:40:00 No. of Pages: 1
Recorded for: FIRST AMERICAN TITLE
MARSHA RIEMANN Fee: 3.00
Ex-Officio Recorder Deputy
URL: http://www.mty.com/used

STATE OF Washington)
)ss.
COUNTY OF KING

On this 22/25/2022, before me the undersigned notary, personally appeared Henry L. Woolley, Jr. and Janet Sue Woolley, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) are subscribed to the within instrument as Co-Trustees and acknowledged to me that they executed the same as such Co-Trustees.

Carol Ann Phelps
Notary Public of WASHINGTON
Residing at SEATTLE
Commission Expires: 11/30/2002



Attachment 10 to Exhibit A
Deed dated 9-4-2003 (Oliver Family Trust to Olivers)

K27202

①

WARRANTY DEED

For Value Received Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, as Trustees
of the Oliver Family Trust dated July 23, 2001

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, husband and wife

whose address is: 983 Scott Street, San Diego, CA 92106

Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

Lot 7 of RIVER GROVE RANCH AMENDED, MAY, 1977, according to the official plat thereof, recorded as Instrument No. 172626, records of Blaine County, Idaho.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: September 4, 2003

Oliver Family Trust dated July 23, 2001

By:

Morgan Dene Oliver, Trustee

By:

Elizabeth Reed Hamman Oliver, Trustee

Instrument # 481183

HARLEY, BLAINE, IDAHO
2003-09-04 09:40:00 No. of Pages: 1
Recorded for: FIRST AMERICAN TITLE
MARSHA RIEMANN Fee: 3.00
Ex-Officio Recorder Deputy
www.blaineidaho.gov

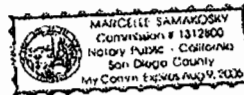
STATE OF CALIFORNIA

COUNTY OF SAN DIEGO

ss.

On this 9th day of September, 2003, before me, the undersigned Notary in and for said State, personally appeared Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, known or identified to me (or proved to me), to be the persons whose names are subscribed to the within instrument as Trustees of the Oliver Family Trust dated July 23, 2001, and acknowledged to me that they executed the same as such Trustees.

Mirella Samardosky
Notary Public of CALIFORNIA
Residing at: San Diego
Commission Expires: 8/19/05



Attachment 11 to Exhibit A
Deed dated 9-4-2003 (Olivers to Oliver Family Trust)

K27202

WARRANTY DEED

THIS INSTRUMENT FILED FOR RECORD BY
FIRST AMERICAN TITLE CO. AS AN ACCOM-
MODATION ONLY. IT HAS NOT BEEN EXAMINED
AS TO ITS EXECUTION OR AS TO ITS EFFECT
UPON THE TITLE.

For Value Received Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, as Trustees of the Oliver Family Trust dated July 23, 2001

whose address is: 983 Scott Street, San Diego, CA 92106

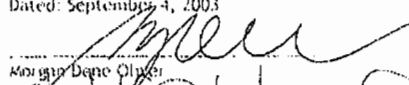
Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

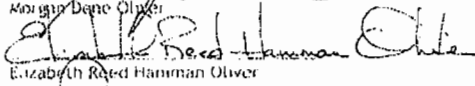
Lot 7 of RIVER GROVE RANCH AMENDED, MAY, 1977, according to the official plat thereof, recorded as Instrument No. 172626, records of Blaine County, Idaho.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: September 4, 2003


Morgan Dene Oliver


Elizabeth Reed Hamman Oliver

STATE OF CALIFORNIA

COUNTY OF SAN DIEGO

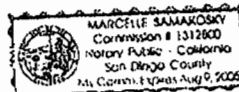
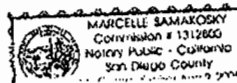
Instrument # 496536

HAILEY, BLAINE, IDAHO
2003-17-17 03:55:00 No. of Pages: 1
Recorded for: FIRST AMERICAN TITLE
MARSHA RIEMANN Fee: 3.00
Ex-Officio Recorder County
WITNESSES: WITNESSES

On this 4th day of September, 2003, before me, the undersigned Notary in and for said State, personally appeared Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, known or identified to me (or proved to me), to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.


Marcelle Samakosky

Notary Public in CALIFORNIA
Residing at: SAN DIEGO
Commission Expires: 8/4/05



Attachment 12 to Exhibit A
Deed dated 6-10-1977 (Subdivision to Johnsons)

Order No. 22-4502

DEED

FOR VALUE RECEIVED, VALCO, INC., an Idaho corporation,
a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant,
Bargain, Sell and Convey unto
DEAN C. JOHNSON and LYNNE M. JOHNSON, husband and wife,
grantee whose current address is: Box 1571, Sun Valley, Idaho 83353
the following described real estate, to-wit:

Lot 11 of RIVER GROVE RANCH SUBDIVISION, Blaine County,
Idaho, according to the amended plat thereof recorded
in Book 15 of Plats, Page 10, records of Blaine County,
Idaho.

SUBJECT TO That Mortgage dated December 21, 1976,
executed by Valco, Inc., Mortgagor, to Lloyd J. Walker,
individually and as attorney in fact for Mary E.
Walker, William G. Schmidt and Mary Lou Schmidt,
husband and wife, John Patrick Hamilton and Margaret
Hamilton, husband and wife, Agatha K. Walker, a
widow, and Lloyd J. Walker, as personal representative
of the Estate of Lloyd William Walker, Mortgagee,
recorded December 28, 1976, as Instrument No. 170795,
records of Blaine County, Idaho.

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantees
their heirs and assigns forever

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused
its corporate name to be herunto subscribed by its President and its corporate seal to be affixed by its
Secretary this 10th day of June, 1977.

By Dale L. Donnelly
Dale L. Donnelly, PRESIDENT.

ATTEST:
Valerie M. Donnelly
Valerie M. Donnelly, SECRETARY.

STATE OF IDAHO, County of Blaine,
On this 7th day of June, 1977,
before me, a Notary Public in and for said State, personally
appeared DALE L. DONNELLY and
VALERIE M. DONNELLY, known to me to
be the President and Secretary of the corporation
that executed this instrument or the persons who executed
the instrument on behalf of said corporation, and
acknowledged to me that such corporation 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.

[Signature]
Notary Public
Residing at: Hailey, Idaho
Comm. Expires: 2/10/81

STATE OF IDAHO, COUNTY OF Blaine
I hereby certify that this instrument was filed for record at
the request of Judy King
at 20 minutes past 11:00 o'clock P.M.
this 10th day of June
1977, in my office, and duly recorded in Book
of Deeds at Page

MADE ME LLYA
Ex-Officio Recorder

By Patricia K. Luepke
Patricia K. Luepke, Deputy
Filed 6/10/77 at 11:00 AM
Mail to:

INSTRUMENT NO. 174198

Attachment 13 to Exhibit A
Deed dated 6-25-2001 (Johnsons to Brennan)

①

K24169

WARRANTY DEED

Instrument # 453192

HAILEY, BLAINE, IDAHO

2001-07-16 04:07:00 No. of Pages: 1

Recorded for: FIRST AMERICAN TITLE

MARSHA RIEMANN

Fee: 3.00

Ex-Office Recorder Deputy

Member of the NC Commission

As part of an IRC 1031 Tax-Deferred Exchange,

For Value Received Dean C. Johnson and Lynne M. Johnson, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Robert M. Brennan, a married man as his sole and separate property

whose address is: P.O. Box 1991, Sun Valley, ID 83353

Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

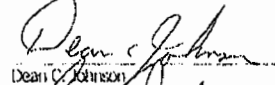
Lot 11 of River Grove Ranch Amended, May, 1977, according to the official plat thereof, recorded as Instrument No. 172626, records of Blaine County, Idaho.

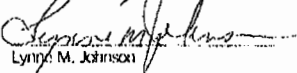
Also identified as "RELINQUISHED PROPERTY" for the above referenced 1031 Tax-Deferred Exchange (No. 01-14400-500).

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: June 25, 2001


Dean C. Johnson


Lynne M. Johnson

STATE OF

COUNTY OF

On this 2nd day of July, 2001, before me, the undersigned, personally appeared Dean C. Johnson and Lynne M. Johnson, known or identified to me (or proved to me), to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Notary Public of

Residing at:

Commission Expires:

San Diego, CA
11/31/2004



Attachment 14 to Exhibit A
Deed dated 6-19-2001 (Jill Brennan to Robert M. Brennan)

③

K2469

QUITCLAIM DEED

For Value Received JILL BRENNAN

Instrument # 453193

HAILEY, BLAINE, IDAHO
2001-07-16 04:08:00 No of Pages: 1
Recorded for FIRST AMERICAN TITLE
MARSHA RIEBMAN Fee: 3.00
Ex-Office Recorder Deputy
NOTARY IN THE STATE OF IDAHO

do hereby convey, release, remise and forever quit claim unto

ROBERT M. BRENNAN, a married man as his sole and separate property

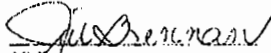
whose address is: P.O. Box 1991, Sun Valley, ID 83353

Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

Lot 11 of River Grove Ranch Amended, May, 1977, according to the official plat thereof, recorded as Instrument No. 172626, records of Blaine County, Idaho.

together with their appurtenances.

Dated: June 19, 2001

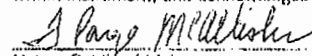

Jill Brennan

STATE OF Idaho)

)ss.

COUNTY OF Blaine)

On this 19th day of July, in the year of 2001, before me, Paige McAllister, personally appeared Jill Brennan, known or identified to me (or proved to me), to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.


Notary Public of Idaho
Residing at: Ketchum, Idaho
Commission Expires: 02/07/07



Attachment 15 to Exhibit A
Deed dated 6-19-2001 (Brennan to Olivers)

K24198

WARRANTY DEED

For Value Received: ROBERT M. BRENNAN, a married man as his sole and separate property

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

MORGAN DENE OLIVER and ELIZABETH HAMMAN OLIVER, husband and wife

whose address is: 983 Scott Street, San Diego, CA 92106

Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

Lot 11 of River Grove Ranch Amended, May, 1977, according to the official plat thereof, recorded as Instrument No. 172626, records of Blaine County, Idaho.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantees heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner at the time of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: 06/19/01

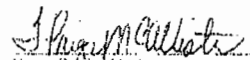

Robert M. Brennan

Instrument # 453194
HAILEY, IDAHO, IDAHO
2001-07-16 04:09:00 No. of Pages: 1
Recorded for FIRST AMERICAN TITLE
MARSHA RIEMANN Fee: 3.00
El-Ottob Recorder, Deputy
HARLEY 101-1000-0000

STATE OF Idaho

COUNTY OF BLAINE

On this 19th day of June, 2001, before me, Paige McAllister, personally appeared Robert M. Brennan, known or identified to me (or proved to me), to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.


Notary Public of Idaho
Residing at: Kelowna, Idaho
Commission Expires: 02/20/07



Attachment 16 to Exhibit A
Deed dated 6-25-2001 (Brennan to Olivers)

8 K-29198

QUITCLAIM DEED

For Value Received **ROBERT M. BRENNAN**, a married man as his sole and separate property,

do hereby convey, release, remise and forever quit claim unto

MORGAN DENE OLIVER and ELIZABETH HAMMAN OLIVER, husband and wife,

whose address is: **983 Scott Street, San Diego, CA 92106**

Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

Any and all water rights pertaining to the following described property:

Lot 11 of River Grove Ranch Amended, May, 1977, according to the official plat thereof, recorded as Instrument No. 172626, records of Blaine County, Idaho.

together with their appurtenances

Dated June 25, 2001

Robert M. Brennan
Robert M. Brennan

Instrument # 453195
HAILEY, BLAINE, IDAHO
2001 07-16 04 10:00 No. of Pages 1
Recorded for FIRST AMERICAN TITLE
DANISHA RIEMANN Fee: 1.00
Ex-Officio Recorder Deputy
HAILEY, IDAHO COUNTY

STATE OF Idaho

ss.

COUNTY OF Blaine

On this 30th day of July, in the year of 2001, before me, Paige McAllister, personally appeared Robert M. Brennan, known or identified to me (or proved to me), to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Paige McAllister
Notary Public of Idaho
Residing at Ketchum, Idaho
Commission Expires 02/25/07



Attachment 17 to Exhibit A
Deed dated 7-24-2001 (Olivers to Oliver Family Trust)

RECORDING REQUESTED BY	Space Used for Recorder
Instrument # 454090 HAILEY, BLAINE, IDAHO 2001-08-08 03:03:00 No. of Pages: 2 Recorded for: FIRST AMERICAN TITLE MARSHA RIEMANN Fee: 6.00 Ex-Officio Recorder Deputy Index to WITHINCOMP DEED	

T 360 Legal (1-94)

Quitclaim Deed

THE UNDERSIGNED GRANTOR(S) DECLARE (S)

DOCUMENTARY TRANSFER TAX IS \$ -0-

☐ unincorporated area ☐ State of Idaho, County of Blaine

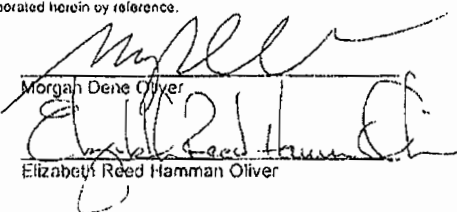
Property Location: 106 Mountain View Lane
Blaine County, ID 83333
Lot 11 River Grove Ranch
Blaine County, Idaho

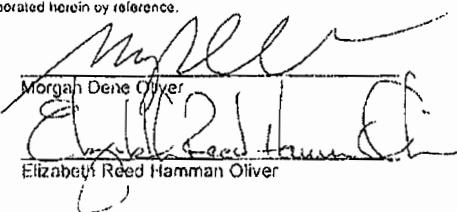
Instrument Number: 172-626

- ☐ computed on full value of property conveyed, or
☐ computed on full value of liens or encumbrances remaining at time of sale, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, a married couple as their sole and separate property, hereby REMISE(S), RELEASE(S) AND FOREVER QUITCLAIM(S) to Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, as Trustees of the Oliver Family Trust dated July 23, 2001, the following described real property in the County of Blaine, State of Idaho:

Please see Exhibit A attached hereto and incorporated herein by reference.


Morgan Dene Oliver


Elizabeth Reed Hamman Oliver

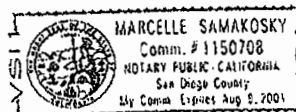
Dated: July 24, 2001

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) s s

On July 24, 2001 before me, MARCELLE SAMAKOSKY, a Notary Public in and for said County and State, personally appeared Elizabeth Reed Hamman Oliver and Morgan Dene Oliver, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) were subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Marcelle Samakosky



MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE: IF NO PARTY SHOWN, MAIL AS DIRECTED ABOVE

Morgan D Oliver 983 Scott St San Diego, CA
Name Street Address City & State 92101

Exhibit "A"

The land referred to herein is situated in the State of Idaho, County of Blaine, and is described as follows:

Lot 11 of River Grove Ranch Amended, May 1977, according to the official platt thereof, recorded as Instrument No. 172626, records of Blaine County, Idaho

Attachment 18 to Exhibit A
Deed dated 9-4-2003 (Oliver Family Trust to Olivers)

K27396

WARRANTY DEED

For Value Received Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, as Trustees of the Oliver Family Trust dated July 23, 2001

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, husband and wife

whose address is: 983 Scott Street, San Diego, CA 92106

Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

Lot 11 of RIVER GROVE RANCH AMENDED, MAY, 1977, according to the official plat thereof, recorded as Instrument No. 172676, records of Blaine County, Idaho.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visibite upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: September 4, 2003

Oliver Family Trust dated July 23, 2001

By:

Morgan Dene Oliver, Trustee

By:

Elizabeth Reed Hamman Oliver, Trustee

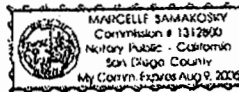
STATE OF CALIFORNIA

ss

COUNTY OF SAN DIEGO

On this 11th day of September, 2003, before me, the undersigned Notary in and for said State, personally appeared Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, known or identified to me (or proved to me), to be the persons whose names are subscribed to the within instrument as Trustees of the Oliver Family Trust dated July 23, 2001, and acknowledged to me that they executed the same as such Trustees.

Marcelle Samakosky
Notary Public for CALIFORNIA
Residing at SAN DIEGO
Commission Expires 8/9/05



Instrument # 491316

HAILEY, BLAINE, IDAHO

2003-09-17 03:35:00 No. of Pages: 1

Recorded for: FALEY AMERICAN TITLE

MARSHA RIEMANN Fee: 3.00

Ex-Office Recorder Deputy

Index to INSTRUMENTS FILED

Attachment 19 to Exhibit A
Deed dated 9-4-2003 (Olivers to Oliver Family Trust)

K27396

WARRANTY DEED

For Value Received Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, as Trustees of the Oliver Family Trust dated July 23, 2001

whose address is: 983 Scott Street, San Diego, CA 92106

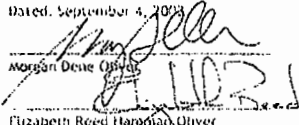
Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

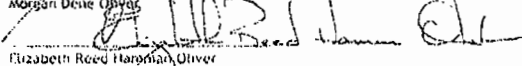
Lot 11 of RIVER GROVE RANCH AMENDED, MAY, 1977, according to the official plat thereof, recorded as Instrument No. 172626, records of Blaine County, Idaho.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and all regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated, September 4, 2003


Morgan Dene Oliver


Elizabeth Reed Hamman Oliver

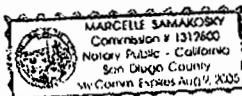
STATE OF CALIFORNIA

ss.

COUNTY OF SAN DIEGO

On this 4th day of September, 2003, before me, the undersigned Notary in and for said State, personally appeared Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, known or identified to me (or proved to me), to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

Marcelle Samakovsky
Notary Public of CALIFORNIA
Residing at: SAN DIEGO
Commission Expires: 8/9/05



Instrument # 491318

HAILEY, BLAINE, IDAHO
7003-02-12 03:57:00 No. of Pages: 1
Recorded for FIRST AMERICAN TITLE
MARSHA RIBBOLD Fee: 3.00
Is-Circle Recorder Deputy
Go to: WWW.COUNTY-CLERK

Exhibit B To Notice of Change in Water Right Ownership Map Showing Irrigated Acreage Held by Oliver Family Trust

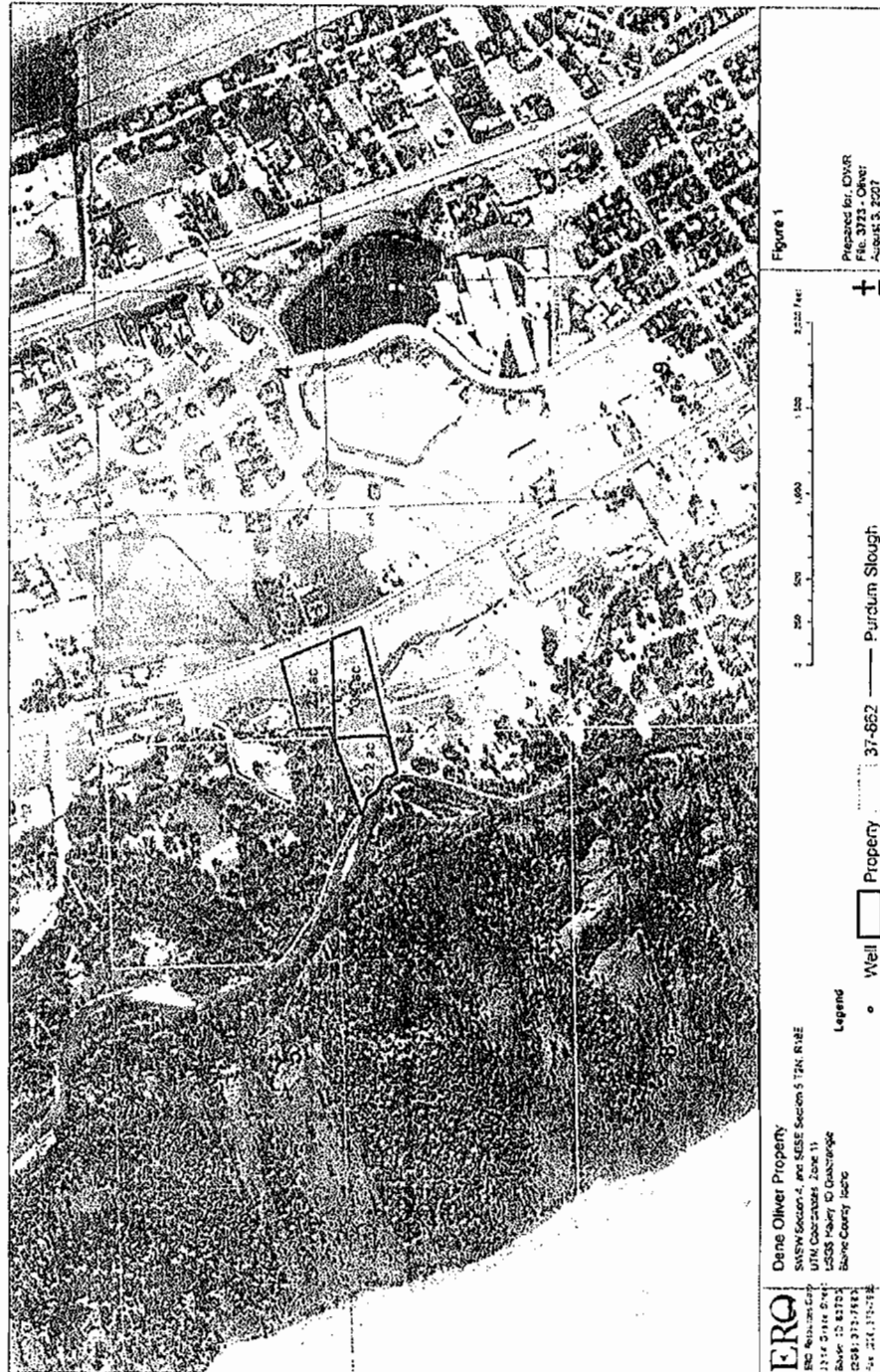


Exhibit C To Notice of Change in Water Right Ownership

Map Showing Recommended Place of Use for Water Right No. 37-862

Recommended place of use for 37-862.

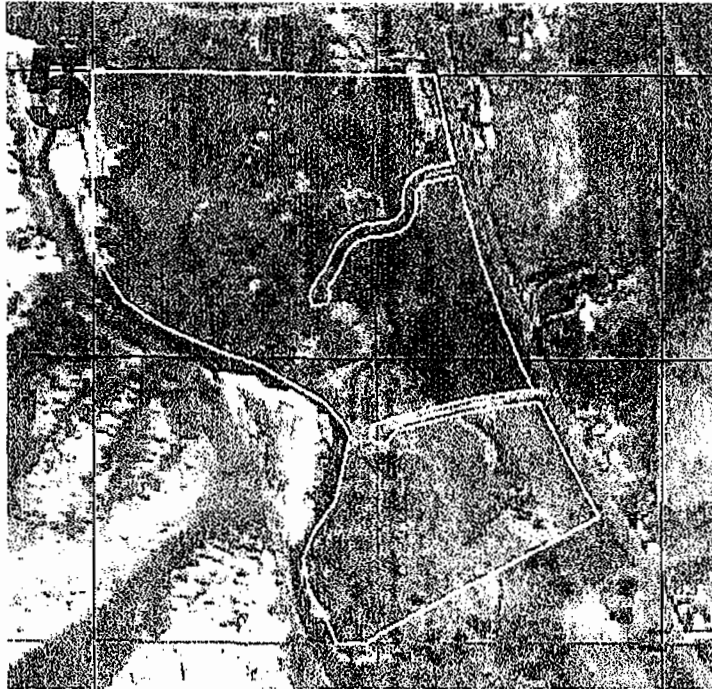


Exhibit D To Notice of Change in Water Right Ownership

Copy of Power of Attorney (Original on File at IDWR)

SPECIAL POWER OF ATTORNEY FOR WATER RIGHTS

Morgan Dene Oliver and Elizabeth Reed Hamman Oliver, as Trustees of the Oliver Family Trust, hereby appoint the attorneys of Givens Pursley LLP, 601 West Bannock Street, P.O. Box 2720, Boise, Idaho, 83701 as their true and lawful attorneys for the purpose of signing on their behalf the following forms for submission to the Idaho Department of Water Resources and/or the Snake River Basin Adjudication:

1. Notice of Claim to a Water Right;
2. Application for Amendment of Permit to Appropriate the Waters of the State of Idaho;
3. Notice of Change of Water Right Ownership;
4. Request for Extension of Time to Provide Additional Time in Which to Submit Proof of Beneficial Use for a Water Right Permit;
5. Notice of Protest;
6. Application for Transfer of a Water Right;
7. Proof of Beneficial Use;
8. Application for Exchange of Water;
9. Application for Extension of Time to Avoid Forfeiture of a Water Right;
10. Application to Sell or Lease a Water Right to the Water Supply Bank;
11. Application for Temporary Approval of a Water Application;
12. Application for Permit to Appropriate the Waters of the State of Idaho;
13. Pleadings submitted to the Snake River Basin Adjudication in connection with water rights of the Oliver Family Trust; and
14. Any other document in support or furtherance of any of the above.

All may rely on such authority. This Special Power of Attorney shall be effective until revoked in writing by either Morgan Dene Oliver or Elizabeth Reed Hamman Oliver.

For purposes of the exercise of the powers herein granted, the facsimile signature of said attorneys shall be lawful and binding and any person may rely upon such facsimile signature as if it were an original.

[End of text]

IN WITNESS WHEREOF, we have executed this Special Power of Attorney effective as of the last date noted.

Dated: 12-20-06

Dated: 12-20-06

Morgan Dene Oliver, Trustee

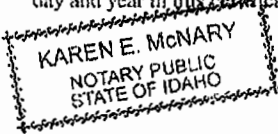
Elizabeth Reed Hamman Oliver, Trustee

ACKNOWLEDGMENTS

State of Idaho)
) ss.
County of Blaine)

On this 20 day of DECEMBER, 2006, before me, a Notary Public, in and for said County and State, personally appeared Morgan Dene Oliver, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of the Oliver Family Trust and acknowledged to me that he executed the same as Trustee of the Oliver Family Trust.

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

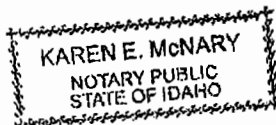


Karen E. McNary
Notary Public for Idaho
Residing at Boise, ID
My Commission expires 9-28-10

State of Idaho)
) ss.
County of Blaine)

On this 20 day of DECEMBER, 2006, before me, a Notary Public, in and for said County and State, personally appeared Elizabeth Reed Hamman Oliver, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of the Oliver Family Trust and acknowledged to me that she executed the same as Trustee of the Oliver Family Trust.

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



Karen E. McNary
Notary Public for Idaho
Residing at Boise, ID
My Commission expires 9-28-10



February 22, 2010

RECEIVED

FEB 24 2010

WATER RESOURCES
WESTERN REGION

Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082

Attention: Kelly Christensen

Subject: Dene Oliver SRBA Claim 37-22256

Dear Kelly,

Regarding Dene Oliver's SRBA claim no. 37-22256, I understand there may be some recent confusion regarding the source of water for this right. Specifically, is the source best described as the Big Wood River, Purdum Slough or springs?

In his August 27, 2009 letter to Jeff Peppersack, Dr. Charles G. Brockway describes the slough as "a region of lowlands, with standing groundwater and sub-water areas frequently occurring and the water table ranging from zero to 10 feet" (copy enclosed). Brockway Engineering's extensive first-hand knowledge with the system suggests a geomorphic composition of coarse gravels and river cobbles "indicating it is one of the courses that the Big Wood River has taken over the centuries." He describes a strong, intimate interconnection between the shallow groundwater in the Purdum Slough area and the Big Wood River.

In my further discussions with Dr. Brockway, he describes his understanding that historically the main Purdum Slough channel was a distinct and likely maintained side channel of the Big Wood River. Upstream development has created a situation where portions of the channel have become at least partly blocked so that a distinct on-the-surface connection may be visible only during times of higher stream flows. Further, due to residential development in the area, it has become impossible to maintain portions of the channel. However, water continues to be available to the Oliver & Thomas downstream headgate due to the highly transmissive nature of the river sediments in the slough area.

Mr. Oliver owns a well located approximately 145 feet east of the Big Wood River (tag no. D0030068, report included). Dr. A. Lee Brown Ph.D., a Water Resource Consultant who has performed hydrologic investigations on behalf Dene Oliver,

describes this well as "drilled in Quaternary unconsolidated deposits of the Holocene Period comprised of loosely consolidated gravels, sands, silts, and clays that are remnants of older stream channels, alluvial fans, and colluvium" (personal communication with Dr. Lee Brown). This description is consistent with Dr. Brockway's findings.

Well Driller's Reports for numerous shallower wells constructed in the Purdum Slough area provide further evidence of a shallow aquifer comprised of old stream channels with local high groundwater levels and a strong connection with the river. Driller's reports for wells located from the upper end of the Purdum Slough near Zinc Spur Subdivision in T03N R18E Section 29 south to below Dene Oliver property at T02N R18E Section 9 indicate a consistent lithology of cobbles, gravels, sands and clays. These logs describe shallow wells with high static water levels consistently ranging from four to 10 feet below land surface. This potentiometric head is closely correlated with nearby river surface elevations. USGS topographic maps, aerial imagery, my personal experience with this area, and the observed high static water levels in these shallow wells are consistent with the conceptual model that the Purdum Slough area is a remnant channel of the Big Wood River.

I agree with the conclusions reached by Dr. Brockway in his August 27, 2009 letter. The evidence supports the understanding that surface water flowed from the Big Wood River down the Purdum Slough south to the Oliver and Thomas headgate, and that ground water and surface water in the Purdum Slough are intimately connected and essentially the same source as the Big Wood River.

I hope this information is useful in finalizing your recommendations for Dene Oliver's claim. Please contact me if you have any questions.

Sincerely,



Scott N. King, P.E.
Supervising Engineer

cc: Chris Meyer
Dr. Charles G. Brockway, P.E.

File: 397.0180

ATTACHMENT 1
DR. CHARLES G. BROCKWAY'S
AUGUST 27, 2009 LETTER TO JEFF PEPPERSACK



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

August 27, 2009

Mr. Jeff Peppersack
Idaho Department of Water Resources
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

VIA E-MAIL

Re: Applications for Water Bank Transactions
Peter M. Thomas Trust / 37-22255

Dear Jeff:

You indicated in your letter dated August 25, 2009 and in our telephone call today that additional information was required to evaluate whether the current and proposed water sources were sufficiently connected hydraulically to ameliorate concerns relative to enlargement and potential injury to other water users.

Enclosed please find watermaster records for 1998 through 2008 for "Canal No. 30", which is the watermaster's notation for the stream flowing from the Flying Heart ponds to the applicant's property. These records indicate that the water has been delivered each year, with a full season supply (no priority cut) being available in 1998, 1999, and 2006. In all years through 2007, physical water supply was present until and beyond the priority cut date. However, in 2008, the physical flow diminished and the stream went dry before priority cuts were made. The same condition is now present in 2009. It appears that activities on the slough upstream of the applicant's property are impeding the flow. Much effort has been expended by both the applicant and the watermaster over the past two years to remedy the problem, but without success. The watermaster has indicated that there is nothing additional that he can do to deliver the applicant's water right at the existing point of diversion.

With regard to the hydraulic connection with the Big Wood River, a description of the Purdum Slough system may be helpful. The area known as the Purdum Slough lies west of Highway 75 and extends from Zinc Spur subdivision southward almost to Hailey. This is a region of lowlands, with standing groundwater and sub-water areas frequently occurring and the water table ranging from zero to 10 feet. Most of the slough area has been developed into residential subdivisions over the past 30 years, and Brockway Engineering has extensive first-hand knowledge of conditions within the area.

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

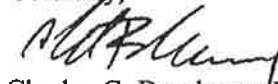
208•736•8543

FAX: 736•8506

Excavations within this region generally reveal coarse gravel and river cobble, indicating it is one of courses that the Big Wood River has taken over the centuries. At the time of settlement of the valley, the Purdum Slough channel likely was a minor channel of the river but was enhanced to carry irrigation water. The slough diverges from the main channel north of Zinc Spur subdivision, and is treated as part of the Big Wood River by the watermaster and by the Department. Water rights delivered from the slough list "Big Wood River" as the source. No control exists where the slough diverges from the river but the watermaster has historically placed rocks in the river to cause more water to flow in the slough if needed. The slough channel flows southward through several subdivisions and may gain water from or lose water to the aquifer, depending on the water table elevation. Much of the water returns to the river on the surface north of Flying Heart subdivision. Historically, ditches from the slough continued to carry water southward into the north Flying Heart pond, originally known as the "Purdum Ice Pond." The extent to which these channels still exist is not known; many have likely been obliterated by residential development. In addition, sub-water arises within the extreme low areas north of Flying Heart resulting in water re-entering various channels and flowing into the Flying Heart north pond. The north pond is controlled by a check structure and weir. Water flows over the weir and continues southward into a pond created by Bruce Willis, and thence further south across Flying Heart Road to the applicant's property known as the Rivergrove Ranch. The hydrology of the area strongly indicates that 1) surface water, at least historically, flowed in the Purdum Slough all the way south to the applicant's property; and 2) the groundwater and surface water in the local area are intimately connected and are essentially the same source.

I hope this information proves helpful in evaluating the water bank applications. If any further questions arise, please do not hesitate to contact me.

Cordially,


Charles G. Brockway, P.E.

Cc via regular mail:

Parry Thomas
Jim Laski
Peter Sturdivant
Kevin Lakey, Watermaster
Allen Merritt, IDWR-Southern

WATER DISTRICT 37 & 37M

WATER DISTRICT 37 & 37M							
CANAL NAME		THOMAS		CANAL NO.		30 1998	
OWNER		E PARRY THOMAS					
DATE	APRIL	MAY	JUNE	JULY	AUG	SEPT	DATE
1	1.00	1.00	1.00	1.00	1.00	1.00	1
2	1.00	1.00	1.00	1.00	1.00	1.00	2
3	1.00	1.00	1.00	1.00	1.00	1.00	3
4	1.00	1.00	1.00	1.00	1.00	1.00	4
5	1.00	1.00	1.00	1.00	1.00	1.00	5
6	1.00	1.00	1.00	1.00	1.00	1.00	6
7	1.00	1.00	1.00	1.00	1.00	1.00	7
8	1.00	1.00	1.00	1.00	1.00	1.00	8
9	1.00	1.00	1.00	1.00	1.00	1.00	9
10	1.00	1.00	1.00	1.00	1.00	1.00	10
11	1.00	1.00	1.00	1.00	1.00	1.00	11
12	1.00	1.00	1.00	1.00	1.00	1.00	12
13	1.00	1.00	1.00	1.00	1.00	1.00	13
14	1.00	1.00	1.00	1.00	1.00	1.00	14
15	1.00	1.00	1.00	1.00	1.00	1.00	15
16	1.00	1.00	1.00	1.00	1.00	1.00	16
17	1.00	1.00	1.00	1.00	1.00	1.00	17
18	1.00	1.00	1.00	1.00	1.00	1.00	18
19	1.00	1.00	1.00	1.00	1.00	1.00	19
20	1.00	1.00	1.00	1.00	1.00	1.00	20
21	1.00	1.00	1.00	1.00	1.00	1.00	21
22	1.00	1.00	1.00	1.00	1.00	1.00	22
23	1.00	1.00	1.00	1.00	1.00	1.00	23
24	1.00	1.00	1.00	1.00	1.00	1.00	24
25	1.00	1.00	1.00	1.00	1.00	1.00	25
26	1.00	1.00	1.00	1.00	1.00	1.00	26
27	1.00	1.00	1.00	1.00	1.00	1.00	27
28	1.00	1.00	1.00	1.00	1.00	1.00	28
29	1.00	1.00	1.00	1.00	1.00	1.00	29
30	1.00	1.00	1.00	1.00	1.00	1.00	30
31		1.00		1.00	1.00		31
TOTAL	30.00	31.00	30.00	31.00	31.00	30.00	

YEARLY C F S 183
 YEARLY ACRE FEET 362
 TOTAL NO OF DAYS 183
 YEARLY MEAN 1

CANAL NAME		THOMAS		CANAL NO.		30 1999	
OWNER		E PARRY THOMAS					
DATE	APRIL	MAY	JUNE	JULY	AUG	SEPT	DATE
1	1.00	1.00	1.00	1.00	1.00	1.00	1
2	1.00	1.00	1.00	1.00	1.00	1.00	2
3	1.00	1.00	1.00	1.00	1.00	1.00	3
4	1.00	1.00	1.00	1.00	1.00	1.00	4
5	1.00	1.00	1.00	1.00	1.00	1.00	5
6	1.00	1.00	1.00	1.00	1.00	1.00	6
7	1.00	1.00	1.00	1.00	1.00	1.00	7
8	1.00	1.00	1.00	1.00	1.00	1.00	8
9	1.00	1.00	1.00	1.00	1.00	1.00	9
10	1.00	1.00	1.00	1.00	1.00	1.00	10
11	1.00	1.00	1.00	1.00	1.00	1.00	11
12	1.00	1.00	1.00	1.00	1.00	1.00	12
13	1.00	1.00	1.00	1.00	1.00	1.00	13
14	1.00	1.00	1.00	1.00	1.00	1.00	14
15	1.00	1.00	1.00	1.00	1.00	1.00	15
16	1.00	1.00	1.00	1.00	1.00	1.00	16
17	1.00	1.00	1.00	1.00	1.00	1.00	17
18	1.00	1.00	1.00	1.00	1.00	1.00	18
19	1.00	1.00	1.00	1.00	1.00	1.00	19
20	1.00	1.00	1.00	1.00	1.00	1.00	20
21	1.00	1.00	1.00	1.00	1.00	1.00	21
22	1.00	1.00	1.00	1.00	1.00	1.00	22
23	1.00	1.00	1.00	1.00	1.00	1.00	23
24	1.00	1.00	1.00	1.00	1.00	1.00	24
25	1.00	1.00	1.00	1.00	1.00	1.00	25
26	1.00	1.00	1.00	1.00	1.00	1.00	26
27	1.00	1.00	1.00	1.00	1.00	1.00	27
28	1.00	1.00	1.00	1.00	1.00	1.00	28
29	1.00	1.00	1.00	1.00	1.00	1.00	29
30	1.00	1.00	1.00	1.00	1.00	1.00	30
31		1.00		1.00	1.00		31
TOTAL	30.00	31.00	30.00	31.00	31.00	30.00	

YEARLY C F S 183
 YEARLY ACRE FEET 362
 TOTAL NO OF DAYS 183
 YEARLY MEAN 1

CANAL NAME		THOMAS		CANAL NO. 30			2000
OWNER		E PARRY THOMAS					
DATE	APRIL	MAY	JUNE	JULY	AUG	SEPT	DATE
1		1.90	3.41	2.38	0.64	0.24	1
2		1.90	3.27	2.38	0.64	0.24	2
3	1.90	1.90	3.27	2.02	0.64	0.24	3
4	1.90	1.90	3.27	2.02	0.80	0.24	4
5	1.90	1.90	3.27	1.90	0.80	0.24	5
6	1.90	1.90	3.27	1.90	0.80	0.24	6
7	1.90	1.90	3.27	1.90	0.89	0.24	7
8	1.90	1.90	3.27	1.90	0.89	0.24	8
9	1.90	1.90	3.27	1.90	0.89	0.24	9
10	1.90	1.90	3.27	1.57	0.89	0.24	10
11	1.90	1.90	3.27	1.57	0.72	0.48	11
12	1.90	1.90	3.27	1.57	0.72	0.48	12
13	1.90	1.90	3.27	1.57	0.72	0.48	13
14	1.90	1.90	3.27	1.37	0.64	0.48	14
15	1.90	1.90	3.27	1.37	0.64	0.48	15
16	1.90	1.90	3.27	1.37	0.48	0.48	16
17	1.90	2.02	3.27	1.37	0.48	0.48	17
18	1.90	2.02	3.27	1.37	0.48	0.48	18
19	1.90	2.02	3.14	1.37	0.48	0.48	19
20	1.90	2.02	3.14	1.37	0.48	0.48	20
21	1.90	2.02	3.14	1.27	0.48	0.48	21
22	1.90	2.25	3.14	1.27	0.48	0.48	22
23	1.90	2.25	2.62	1.27	0.48	0.48	23
24	1.90	2.25	2.62	0.98	0.48	0.48	24
25	1.90	2.25	2.62	0.98	0.30	0.48	25
26	1.90	2.25	2.50	0.89	0.30	0.48	26
27	1.90	2.25	2.50	0.89	0.30	0.48	27
28	1.90	2.25	2.38	0.89	0.24	0.48	28
29	1.90	3.41	2.38	0.89	0.24	0.48	29
30	1.90	3.41	2.38	0.89	0.24	0.48	30
31		3.41		0.64	0.24		31
TOTAL	53.20	66.48	91.56	45.03	17.50	12.00	

YEARLY C F S 286
 YEARLY ACRE FEET 566
 TOTAL NO OF DAYS 181
 YEARLY MEAN 2

WATER DISTRICT 37 & 37M

CANAL NAME		THOMAS				CANAL NO. 30		2001
OWNER		E PARRY THOMAS						
DATE	APRIL	MAY	JUNE	JULY	AUG	SEPT	DATE	
1		1.57	3.27	2.25	1.17		1	
2	0.80	1.57	3.27	2.02	1.17		2	
3	0.80	1.57	3.27	2.02	1.17		3	
4	0.80	1.57	3.01	2.02	1.17		4	
5	0.80	1.57	3.01	2.02	1.17		5	
6	0.80	1.57	3.97	1.90	1.07		6	
7	0.80	1.57	3.97	1.90	1.07		7	
8	0.80	1.57	3.83	1.90	0.98		8	
9	0.80	1.57	3.83	1.90	0.98		9	
10	0.80	1.57	3.83	2.25	0.98		10	
11	0.80	2.25	3.55	2.25	0.98		11	
12	0.80	2.25	3.55	2.25	0.98		12	
13	1.17	2.25	3.41	2.14	0.80		13	
14	1.17	3.14	3.41	2.14	0.80		14	
15	1.17	3.14	3.01	2.14	0.80		15	
16	1.17	2.88	3.01	1.74	0.80		16	
17	1.17	2.88	3.01	1.74	0.24		17	
18	1.17	3.72	2.88	1.74	0.24		18	
19	1.17	3.72	2.88	1.74	0.24		19	
20	1.17	3.72	2.88	1.47	0.24		20	
21	1.17	3.14	2.88	1.47	0.24		21	
22	1.17	3.14	2.88	1.47	0.24		22	
23	1.17	2.88	2.88	1.37	0.24		23	
24	1.17	2.88	2.88	1.37	0.30		24	
25	1.17	3.97	2.75	1.37	0.30		25	
26	1.17	3.97	2.75	1.37	0.30		26	
27	1.57	3.97	2.75	1.37	0.24		27	
28	1.57	3.83	2.75	1.37	0.24		28	
29	1.57	3.83	2.25	1.37			29	
30	1.57	3.27	2.25	1.37			30	
31		3.27		1.37			31	
TOTAL	31.46	83.80	93.87	54.80	19.15	0.00		

YEARLY C F S	283
YEARLY ACRE FEET	560
TOTAL NO OF DAYS	149
YEARLY MEAN	2

WATER DISTRICT 37 & 37M

CANAL NAME		THOMAS		CANAL NO. 30			2002
OWNER		E PARRY THOMAS					
DATE	APRIL	MAY	JUNE	JULY	AUG	SEPT	DATE
1		1.68	2.25	3.01	1.27	0.36	1
2		1.68	2.25	3.01	1.07	0.36	2
3		1.79	3.55	2.75	1.07	0.36	3
4		1.79	3.55	2.75	1.07	0.20	4
5	1.79	1.79	3.01	2.50	1.07	0.20	5
6	1.79	1.79	3.01	2.50	1.07	0.20	6
7	1.79	1.79	3.01	2.50	1.07	0.20	7
8	1.79	1.68	3.01	2.38	1.07	0.20	8
9	1.79	1.68	3.01	2.38	0.98	0.20	9
10	1.79	1.79	3.01	2.25	0.98	0.20	10
11	1.79	1.79	3.01	2.25	0.98	0.20	11
12	1.79	1.79	2.25	1.79	0.98	0.20	12
13	1.79	1.79	2.25	1.79	0.98	0.20	13
14	1.90	1.79	2.38	1.79	0.98	0.20	14
15	2.25	2.02	2.38	1.79	0.98	0.20	15
16	2.25	2.02	2.38	1.79	0.98		16
17	2.02	2.02	3.14	1.68	0.98		17
18	2.02	2.02	3.14	1.68	0.98		18
19	1.90	2.02	3.01	1.68	0.36		19
20	1.90	2.14	3.01	1.68	0.36		20
21	1.90	2.14	2.75	1.68	0.36		21
22	1.90	2.02	2.75	1.68	0.36		22
23	1.90	2.02	2.75	1.68	0.36		23
24	2.02	3.27	2.50	1.57	0.36		24
25	2.02	3.27	2.50	1.57	0.36		25
26	1.79	3.27	3.01	1.57	0.36		26
27	1.79	1.79	3.01	1.57	0.36		27
28	1.79	1.79	3.01	1.57	0.36		28
29	1.57	2.14	3.01	1.37	0.36		29
30	1.57	2.14	3.01	1.37	0.36		30
31		2.25		1.27	0.36		31
TOTAL	48.60	62.96	84.91	60.85	23.24	3.48	

YEARLY C F S	284
YEARLY ACRE FEET	562
TOTAL NO OF DAYS	164
YEARLY MEAN	2

CANAL NAME		THOMAS		CANAL NO. 30			2003
OWNER E PARRY THOMAS							
DATE	APRIL	MAY	JUNE	JULY	AUG	SEPT	DATE
1		0.98	4.56	3.75	0.64	0.13	1
2		0.98	4.26	1.79	0.64	0.13	2
3		0.98	4.26	1.79	0.64	0.05	3
4		0.98	5.33	1.79	0.64	0.05	4
5		1.07	5.33	1.79	0.64	0.05	5
6		1.07	4.26	1.79	0.64	0.05	6
7		1.17	4.26	1.79	0.64	0.05	7
8		1.17	4.26	1.79	0.56	0.05	8
9		1.17	4.56	1.68	0.56	0.05	9
10		1.17	4.56	1.68	0.56	0.05	10
11		1.17	4.56	1.68	0.56	0.05	11
12		1.17	4.56		0.56	0.05	12
13		1.17	3.83		0.37	0.05	13
14		1.27	3.83		0.37	0.05	14
15		1.27	3.83		0.37	0.05	15
16		1.79	3.55	1.79	3.70	0.05	16
17		1.79	3.55	1.79	3.70	0.05	17
18	0.64	1.79	3.27	1.68	0.18	0.05	18
19	0.64	1.37	3.27	1.68	0.18	0.05	19
20	0.64	1.37	3.27	1.68	0.18	0.05	20
21	0.64	2.14	3.27	1.37	0.18	0.05	21
22	0.64	2.14	3.27	1.37	0.13		22
23	1.07	1.68	3.38	0.89	0.13		23
24	1.07	1.68	3.38	0.89	0.13		24
25	1.07	1.68	2.38	0.89	0.13		25
26	1.07	2.88	2.38	0.89	0.13		26
27	1.07	2.88	2.38	0.89	0.13		27
28	0.98	4.41	2.38	0.89	0.13		28
29	0.98	4.41	2.38	0.89	0.13		29
30	0.98	4.56	3.75	0.80	0.13		30
31		4.56		0.80	0.13		31
TOTAL	11.49	57.92	112.11	40.51	17.81	1.21	

YEARLY C F S 241
 YEARLY ACRE FEET 477
 TOTAL NO OF DAYS 153
 YEARLY MEAN 2

WATER DISTRICT 37 & 37M

CANAL NAME		THOMAS		CANAL NO. 30			2004
OWNER		E PARRY THOMAS					
DATE	APRIL	MAY	JUNE	JULY	AUG	SEPT	DATE
1		1.27	2.38	3.14	1.90	1.07	1
2	0.38	1.27	2.50	2.62	1.79	1.07	2
3	0.38	1.90	2.50	2.62	1.79	0.98	3
4	0.38	1.90	3.14	2.62	1.37	0.98	4
5	0.38	1.90	3.14	2.50	1.37	0.98	5
6	0.38	1.90	3.14	2.50	1.17	0.98	6
7	0.38	1.90	3.83	2.50	1.17	0.98	7
8	0.38	1.90	3.83	2.50	1.17	0.98	8
9	0.64	1.90	3.83	2.50	1.17	0.98	9
10	0.64	1.79	3.83	2.50	1.17	0.80	10
11	0.64	1.79	3.14	2.50	1.17	0.80	11
12	1.37	1.79	3.14	2.50	1.17	0.80	12
13	1.37	1.79	3.14	2.50	1.07	0.98	13
14	0.98	2.02	3.01	2.38	1.07	0.98	14
15	0.98	2.02	3.01	2.38	1.07	1.07	15
16	0.98	2.02	3.41	2.38	1.07	1.07	16
17	0.98	2.02	3.41	2.38	1.07	0.89	17
18	0.98	2.02	3.27	2.38	1.37	0.89	18
19	0.98	1.79	3.27	2.50	1.37	0.89	19
20	0.98	1.79	3.27	2.50	1.17	0.98	20
21	0.98	2.02	2.88	2.38	1.17	0.98	21
22	0.98	2.02	2.88	2.38	1.17	0.98	22
23	1.07	2.02	3.27	2.25	1.17	0.98	23
24	1.07	2.02	3.27	2.29	1.17	0.80	24
25	1.07	2.02	3.14	2.29	1.27	0.80	25
26	1.07	2.02	3.14	2.14	1.27	0.80	26
27	1.07	2.02	3.14	2.14	1.27	0.80	27
28	1.27	2.25	3.27	2.02	1.27	0.80	28
29	1.27	2.25	3.27	2.02	1.27	0.80	29
30	1.27	2.25	3.14	1.90	1.07		30
31		2.38		1.90	1.07		31
TOTAL	25.30	59.95	95.59	74.11	38.84	26.89	

YEARLY C F S 321
 YEARLY ACRE FEET 635
 TOTAL NO OF DAYS 181
 YEARLY MEAN 2

CANAL NAME		THOMAS					CANAL NO. 30	2005
OWNER		E PARRY THOMAS						
DATE	APRIL	MAY	JUNE	JULY	AUG	SEPT	DATE	
1		1.37	2.38	2.50	1.90	1.07	1	
2	0.38	1.37	2.50	2.50	1.79	1.07	2	
3	0.38	1.90	2.50	2.50	1.79	0.98	3	
4	0.38	1.90	3.14	2.50	1.37	0.98	4	
5	0.38	1.90	3.14	2.50	1.37	0.98	5	
6	0.38	1.90	3.27	2.50	1.17	0.98	6	
7	0.38	2.02	3.27	2.50	1.17	0.98	7	
8	0.38	2.02	3.27	2.50	1.17	0.98	8	
9	0.64	2.02	3.27	2.50	1.17	0.98	9	
10	0.64	2.02	3.27	2.50	1.17	0.80	10	
11	0.64	2.02	3.27	2.50	1.17	0.80	11	
12	1.37	2.02	3.27	2.50	1.17	0.80	12	
13	1.37	2.02	3.27	2.50	1.07	0.98	13	
14	0.98	2.02	3.27	2.38	1.07	0.98	14	
15	0.98	2.02	3.27	2.38	1.07	1.07	15	
16	0.98	2.02	3.27	2.38	1.07	1.07	16	
17	0.98	2.02	3.27	2.38	1.07	0.89	17	
18	0.98	2.02	3.27	2.38	1.37	0.89	18	
19	0.98	2.02	3.27	2.50	1.37	0.89	19	
20	0.98	2.02	3.27	2.50	1.17	0.98	20	
21	0.98	2.02	2.88	2.38	1.17	0.98	21	
22	0.98	2.02	2.88	2.38	1.17	0.98	22	
23	1.07	2.02	2.88	2.25	1.17	0.98	23	
24	1.07	2.02	2.88	2.29	1.17	0.80	24	
25	1.07	2.02	2.88	2.29	1.27	0.80	25	
26	2.38	2.02	2.88	2.14	1.27	0.80	26	
27	2.38	2.02	2.88	2.14	1.27	0.80	27	
28	2.38	2.25	2.88	2.02	1.27	0.80	28	
29	2.38	2.25	2.88	2.02	1.27	0.80	29	
30	2.38	2.25	2.88	1.90	1.07		30	
31		2.38		1.90	1.07		31	
TOTAL	31.25	61.89	91.51	73.11	38.84	26.89		

YEARLY C F S 323
 YEARLY ACRE FEET 641
 TOTAL NO OF DAYS 181
 YEARLY MEAN 2

CANAL NAME	THOMAS					CANAL NO. 30	2006
OWNER	E PARRY THOMAS						
DATE	APRIL	MAY	JUNE	JULY	AUG	SEPT	DATE
1		2.50	2.50	1.17	1.17	1.07	1
2		2.50	2.50	1.17	1.17	1.07	2
3		2.50	2.50	1.17	1.17	1.07	3
4		2.50	2.50	1.17	1.17	1.07	4
5		2.50	2.50	1.17	1.17	1.07	5
6		2.50	2.50	1.17	1.17	1.07	6
7		2.50	2.50	1.17	1.17	1.07	7
8		2.50	2.50	1.17	1.17	1.07	8
9		2.50	2.50	1.17	1.17	1.07	9
10		2.50	2.50	1.17	1.17	1.07	10
11		2.50	2.50	1.17	1.17	1.07	11
12		2.50	2.50	1.17	1.17	1.07	12
13		2.50	2.50	1.17	1.07	1.07	13
14		2.50	2.50	1.07	1.07	1.07	14
15		2.50	2.50	1.07	1.07	1.07	15
16		2.50	2.50	1.07	1.07	1.07	16
17		2.50	2.50	1.07	1.07	1.07	17
18		2.50	2.50	1.07	1.07	1.07	18
19		2.50	2.50	1.07	1.07	1.07	19
20		2.50	2.50	1.07	1.07	1.07	20
21		2.50	2.50	1.07	1.07	1.07	21
22		2.50	2.50	1.07	1.07	1.07	22
23		2.50	2.50	1.07	1.07	1.07	23
24		2.50	2.50	1.07	1.07	1.07	24
25		2.50	2.50	1.07	1.07	1.07	25
26		2.50	2.50	1.07	1.07	1.07	26
27		2.50	2.50	1.07	1.07	1.07	27
28		2.50	2.50	1.07	1.07	1.07	28
29		2.50	2.50	1.07	1.07	1.07	29
30		2.50	2.50	1.07	1.07	1.07	30
31		2.50		1.07	1.07		31
TOTAL	0.00	77.50	75.00	34.47	34.37	32.10	

YEARLY C F S 253
 YEARLY ACRE FEET 502
 TOTAL NO OF DAYS 153
 YEARLY MEAN 2

OWNER		E PARRY THOMAS				54 INCH RW	
DATE	APRIL	MAY	JUNE	JULY	AUG	SEPT	DATE
1		2.38	2.38	1.73			1
2	0.38	2.38	2.38	1.73			2
3	0.38	2.38	2.38	1.73			3
4	0.38	2.38	0.48	1.73			4
5	0.38	2.38	1.73	1.73			5
6	0.38	2.38	1.73	2.02			6
7	0.38	2.38	1.73	2.02			7
8	0.38	1.32	1.73	2.02			8
9	0.64	1.32	2.38	0.48			9
10	0.64	1.32	2.38	OFF			10
11	0.64	1.32	2.38				11
12	1.37	1.32	2.38				12
13	1.37	1.32	2.02				13
14	0.98	1.95	2.02				14
15	0.98	2.38	2.02				15
16	0.98	1.32	2.02				16
17	0.98	1.32	2.02				17
18	0.98	1.32	2.02				18
19	0.98	1.95	2.02				19
20	0.98	1.95	2.02				20
21	0.98	1.95	5.10				21
22	0.98	2.38	5.10				22
23	1.40	2.38	5.10				23
24	1.40	2.38	5.10				24
25	1.40	2.38	5.10				25
26	1.40	2.38	5.10				26
27	2.38	2.38	5.10				27
28	2.38	2.38	5.10				28
29	2.38	2.38	1.73				29
30	2.38	2.38	1.73				30
31		2.38					31
TOTAL	31.26	62.52	84.48	15.19	0.00	0.00	

YEARLY C F S	193
YEARLY ACRE FEET	383
TOTAL NO OF DAYS	99
YEARLY MEAN	2

WATER DISTRICT 37 & 37M

CANAL NAME		THOMAS		CANAL NO. 30		2008	
OWNER		E PARRY THOMAS					
DATE	APRIL	MAY	JUNE	JULY	AUG	SEPT	DATE
1	0.74	1.37	2.65	1.25	0.05		1
2	0.74	1.37	2.65	1.25	0.05		2
3	0.74	1.37	2.65	1.25			3
4	0.74	1.37	2.65	1.25			4
5	0.74	1.37	2.65	1.25			5
6	0.74	1.37	2.65	1.25			6
7	0.74	1.37	2.65	1.25			7
8	0.74	1.37	2.65	1.25			8
9	0.74	1.37	2.65	0.60			9
10	0.74	2.25	2.65	0.60			10
11	0.74	2.25	2.65	0.60			11
12	1.25	2.25	2.65	0.60			12
13	1.25	2.25	2.65	0.60			13
14	1.25	2.25	2.65	0.60			14
15	1.25	2.25	2.65	0.60			15
16	1.25	2.25	2.65	0.35			16
17	1.25	2.25	2.65	0.35			17
18	1.25	2.25	1.60	0.35			18
19	1.25	2.25	1.60	0.35			19
20	1.25	2.25	1.60	0.35			20
21	1.25	2.25	1.60	0.15			21
22	1.25	2.25	1.60	0.15			22
23	1.25	2.25	1.60	0.15			23
24	1.25	2.25	1.60	0.15			24
25	1.37	2.25	1.60	0.15			25
26	1.37	2.25	1.60	0.15			26
27	1.37	2.25	1.37	0.15			27
28	1.37	2.25	1.37	0.15			28
29	1.37	2.25	1.37	0.05			29
30	1.37	2.25	1.37	0.05			30
31		2.25		0.05			31
TOTAL	32.61	61.83	64.93	17.30	0.10	0.00	

YEARLY C F S	177
YEARLY ACRE FEET	350
TOTAL NO OF DAYS	124
YEARLY MEAN	1

ATTACHMENT 2
WELL DRILLER'S REPORT FOR DENE OLIVER'S WELL
(ID D0030068)

Optical Use Only

(Sign once if Firm Official & Operator)

Bruce Willis

River Grove
Farm

1X WAY
INV.

OLIVER
FAM



FRI APR 24

Oliver Farm Trust 37-22256

KKC/Nick

Peter THOMAS TRUST 37-22255 4420 8249

River Grove Farm 37-577CH

37-577CH sale in 91 to W. I. Iis

30013

transferred By Willis
T- 66412

Transfer Pending

Trans 1743 more ch in to collect is

Research by Brockway JR

37-4420. do SF-5 notify H. bdy
All spring seed now
"O" flow in fall.

Status Conf

37-862

3.20 cfs

37-22255
Peter Thomas Trust
2.85 cfs

37-22256
OLIVER Farm Trust
0.35 cfs

37-555
decided right to
Purdum
dec pond / fish
Back file 1928

Oliver Family Trust

Fri Apr 24 9:30AM

37-22256

37-22256 Oliver Farm Trust

37-862

37-22255 Peter T. Trust

37-862 obj filed prior to split by Big Wood Canal

obj = Right has been forfeited for non-use

862 obj Oliver Family Trust. right should be

split. Obj resolved thru NCAP-2-8-08

37-22255 Same issues as above

(Peter Thomas Trust; current owner)

Comments in amended claim 37-4420

states that 37-862A & 862B share a common
P/D.

RECEIVE

FEB 12 2009

DEPT. OF WATER RESOURCES
SOUTHERN REGION

COPY

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**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Case No. 39576

Sub Case No.: 37-22256
(Formerly No. 37-862, which was split
into 37-22255 and 37-22256)

**MOTION FOR ENTRY OF SPECIAL
MASTER'S REPORT AND
RECOMMENDATION**

Claimant Oliver Family Trust (the "Oliver Family") hereby moves for entry of Special Master's Report and Recommendation with respect to the claim for Water Right No. 37-22256. In support of this motion, the Oliver Family states as follows:

1. Water Right No. 37-22256 is based on a proportionate split of Water Right No. 37-862 (the "Parent Right") into Water Right Nos. 37-22255 and 37-22256 (the "Children Rights") (action collectively referred to as the "Split").
2. The Split was effected by way of an *Amended Notice of Change in Water Right Ownership* ("Amended Notice") filed by the Oliver Family with the Idaho Department of Water Resources ("IDWR" or the "Department"). The Amended Notice is dated November 12, 2007 and was filed on November 13, 2007. The Amended Notice superseded the Oliver Family's earlier *Notice of Change in Water Right Ownership* ("Notice") dated August 8, 2007.

3. No objection was filed either to the Amended Notice or to the earlier Notice.
4. On January 22, 2008, the Department filed with the SRBA Court a *Notice of Completed Administrative Proceeding* ("NCAP") listing the Parent Right (No. 37-862) and the Children Rights (Nos. 37-22255 and 37-22256).
5. On February 6, 2008, consistent with the NCAP, the Department issued a new Director's Report which recommended the Parent Right (No. 37-862) to be disallowed and recommended the two Children Rights (Nos. 37-22255 and 37-22256) to be decreed.
6. An objection to the Parent Right (No. 37-862) was filed on November 14, 2007 by Tom O'Gara et al. (collectively "Concerned Water Users") and the Big Wood Canal Company, sometimes referred to informally as the Bellevue Nine. Responses to the Bellevue Nine objection were filed by Sinclair Oil Company dba Sun Valley Company and by the claimant, Peter M. Thomas Trust. An objection was also filed by the Oliver Family, but that objection has been mooted by the subsequent split and creation of the Children Rights.
7. Although objections and responses were filed to the Parent Right, no objection has been filed to either of the Children Rights.
8. It is unknown whether the objectors (Bellevue Nine) or the respondents (Sun Valley or Thomas Trust) have any continuing objection to the Children Rights. In order to provide them an opportunity to oppose this motion, if they have a basis for doing so, they have been served with a copy of this motion and with a copy of the notice of hearing on the matter, which has been set for February 26, 2009.
9. Claims for Water Right Nos. 37-862A (by Dan S. Fairman) and 37-4312 (by Patricia A. Weaver) geographically overlap the Parent Right (No. 37-862). However, both of those rights have been recommended to be disallowed, and no objection has been filed to either recommendation.

10. Prior to obtaining the Split described above, the Oliver Family filed an overlapping claim assigned Water Right No. 37-22120. This right was also recommended to be disallowed. The only objector is the Oliver Family (which was filed solely to preserve the Oliver Family's position pending approval of the Split). The purpose of this claim and the objection has been mooted by the Split.

11. If this motion is granted, the Oliver Family intends to withdraw its claim for Water Right No. 37-22120 and its objection to Water Right No. 37-862.

12. There are no other overlapping claims.

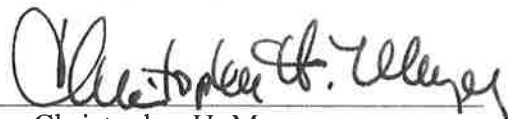
13. For these reasons, it appears that there are no outstanding issues with respect to Water Right No. 37-22256 and that a Special Master's Report and Recommendation for that right should issue forthwith reflecting the Amended Director's Report for that right.

DATED this February 11, 2009

Respectfully submitted,

GIVENS PURSLEY LLP

By


Christopher H. Meyer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on February 11, 2009, the foregoing was filed, served, or copied as follows:

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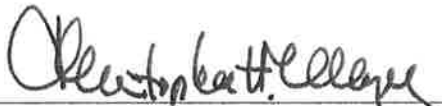
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**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Case No. 39576

Sub Case No.: 37-22256
(Formerly No. 37-862, which was split
into 37-22255 and 37-22256)

NOTICE OF HEARING

TO: PARTIES AND COUNSEL OF RECORD (in Nos. 37-862 and 37-22256)

PLEASE TAKE NOTICE that the Hearing on Oliver Family Trust's Motion for Entry of Special Master's Report and Recommendation will be held before Special Master Brigitte Bilyeu at the following time and place:

Thursday, February 26, 2009 at 11:00 a.m.
SNAKE RIVER BASIN ADJUDICATION
253 3rd AVE., NORTH
TWIN FALLS, ID 83301

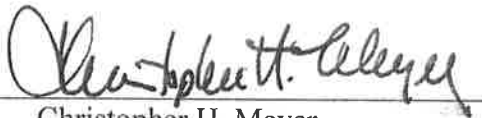
Parties may attend in person or, at their option, participate by telephone by dialing

1-225-383-1099 and when prompted enter participant code 926509. For any questions regarding telephone participation, please contact the Clerk's office at (208) 736-3011.

DATED this February 11, 2009

Respectfully submitted,

GIVENS PURSLEY LLP

By 
Christopher H. Meyer

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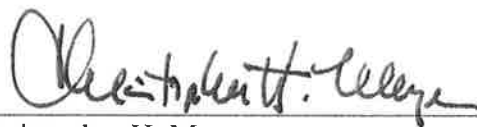
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Christopher H. Meyer

Attorneys for Sinclair Oil Corporation
d/b/a Sun Valley Company

Scott L. Campbell, ISB No. 2251
Tara Martens, ISB No. 5773
Dylan B. Lawrence, ISB No. 7136
MOFFATT, THOMAS, BARRETT, ROCK &
FIELDS, CHARTERED
101 S. Capitol Blvd., 10th Floor
Post Office Box 829
Boise, Idaho 83701
Telephone (208) 345-2000
Facsimile (208) 385-5384
16845.14

RECEIVED
FEB 20 2009
DEPT. OF WATER RESOURCES
SOUTHERN REGION

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

Subcase No. 37-22256
(Formerly No. 37-862, which was split into
37-22255 and 37-22256)

**RESPONSE TO MOTION FOR ENTRY OF
SPECIAL MASTER'S REPORT AND
RECOMMENDATION**

Respondent Sinclair Oil Corporation dba Sun Valley Company ("Sun Valley")
hereby files this response to the Motion for Entry of Special Master's Report and
Recommendation, filed by the Oliver Family Trust ("Oliver") on or about February 11, 2009,
pursuant to Idaho Rule of Civil Procedure 7(b)(3) and Rules 1 and 10(h) of this Court's

Administrative Order 1. Pursuant to the Notice of Hearing accompanying the Oliver motion, a hearing on this matter has been scheduled for February 26, 2009, at 11:00 a.m.

1. On or about November 15, 2007, the "Concerned Water Users" and the Big Wood Canal Company (collectively, the "Objectors") filed objections to several Sun Valley water right recommendations, including 37-415, 37-416, and 37-4108. In all three objections, the Objectors assert that the recommended quantity element is excessive. In their objection to water right 37-862, the "Parent Right" referred to in Oliver's motion, the Objectors appear to make a similar objection. Therefore, on or about December 31, 2007, Sun Valley filed a response in subcase 37-862, based upon law-of-the-case concerns regarding the resolution of the excessive quantity issue.

2. Based upon a review of Sun Valley's files and documents available from the IDWR and SRBA websites, when the split of water right 37-862 occurred, it does not appear that Sun Valley was provided with notice of the split or of a subsequent objection and response period. Additionally, despite the fact that the Notice of Completed Administrative Proceeding indicates that it was served upon "all parties in the subcases affected," the Certificate of Mailing does not appear to list Sun Valley or its counsel, the Concerned Water Users, the Big Wood Canal Company, or the Peter Trust, another respondent in subcase 37-862.

3. Due to the nature of its concerns in subcase 37-862, Sun Valley's position depends on whether the Objectors will renew their objections to the progeny rights 37-22255 and 37-22256. If the Objectors are allowed to object to 37-22255 and 37-22256, then Sun Valley would like to remain a respondent in those subcases, due to the law-of-the-case concerns on the issue of excessive quantity.

DATED this 19th day of February, 2009.

MOFFATT, THOMAS, BARRETT, ROCK &
FIELDS, CHARTERED

By 
Dylan B. Lawrence – Of the Firm
Attorneys for Sinclair Oil Corporation
d/b/a Sun Valley Company

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of February, 2009, I caused a true and correct copy of the foregoing **RESPONSE TO MOTION FOR ENTRY OF SPECIAL MASTER'S REPORT AND RECOMMENDATION** to be served by the method indicated below, and addressed to the following:

Albert P Barker
BARKER ROSHOLT & SIMPSON
1010 W Jefferson, Suite 102
P.O. Box 2139
Boise, ID 83701-2139

*Representing: Bill Molyneux, Gerald Bashaw,
Grace Eakin, John F. Stevenson, Pepin Corso-
Harris, Pete Van Der Meulen, Rocky Sherbine,
and Tom O Gara*

(X) U.S. Mail, Postage Prepaid
() Hand Delivered
() Overnight Mail
() Facsimile

Craig D. Hobdey
HOBDEY & HOBDEY
P.O. Box 176
Gooding, ID 83330
Representing: Big Wood Canal Co.

(X) U.S. Mail, Postage Prepaid
() Hand Delivered
() Overnight Mail
() Facsimile

Oliver Family Trust
Represented By:
Christopher H. Meyer
Michael P. Lawrence
GIVENS PURSLEY LLP
601 W Bannock St
PO Box 2720
Boise, ID 83701-2720

(X) U.S. Mail, Postage Prepaid
() Hand Delivered
() Overnight Mail
() Facsimile

Peter Trust
Represented By:
Edward A. Lawson
LAWSON & LASKI PLLC
675 Sun Valley Rd Ste A
PO Box 3310
Ketchum, ID 83340

(X) U.S. Mail, Postage Prepaid
() Hand Delivered
() Overnight Mail
() Facsimile

Peter M. Thomas Trust
Jerome D. Mack Trustee
c/o E. Parry Thomas
PO Box 642
Sun Valley, ID 83353

(X) U.S. Mail, Postage Prepaid
() Hand Delivered
() Overnight Mail
() Facsimile

Natural Resources Division Chief
OFFICE OF THE ATTORNEY GENERAL
P.O. Box 44449
Boise, ID 83711-4449

☒ (X) U.S. Mail, Postage Prepaid
☐ () Hand Delivered
☐ () Overnight Mail
☐ () Facsimile

UNITED STATES DEPARTMENT OF JUSTICE
Environment & Natural Resources
MSC 033
550 West Fort Street
Boise, ID 83724

☒ (X) U.S. Mail, Postage Prepaid
☐ () Hand Delivered
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☐ () Facsimile

Director
IDAHO DEPARTMENT OF WATER RESOURCES
322 E. Front Street, 6th Floor
P.O. Box 83720
Boise, ID 83720

☒ (X) U.S. Mail, Postage Prepaid
☐ () Hand Delivered
☐ () Overnight Mail
☐ () Facsimile

COURTESY COPIES

Brigette Bilyeu
Special Master
Snake River Basin Adjudication
253 3rd Ave. N.
P.O. Box 2707
Twin Falls, ID 83303-2707

☒ (X) U.S. Mail, Postage Prepaid
☐ () Hand Delivered
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☐ () Facsimile

Nicholas B. Spencer, Esq.
Deputy Attorney General
IDAHO DEPARTMENT OF WATER RESOURCES
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

☒ (X) U.S. Mail, Postage Prepaid
☐ () Hand Delivered
☐ () Overnight Mail
☐ () Facsimile

Douglas Jones
Southern Regional Office
IDAHO DEPARTMENT OF WATER RESOURCES
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3033

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Dylan B. Lawrence

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FEB 25 2009
DEPT. OF WATER RESOURCES
SOUTHERN REGION

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

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RESPONSE TO MOTION FOR ENTRY
OF SPECIAL MASTERS' REPORT AND
RECOMMENDATION

2. On or about November 14, 2007, the Oliver Family Trust filed an objection to the recommendation for water right 37-862.

3. On or about December 31, 2007, Sinclair Oil, d/b/a Sun Valley Company ("Sun Valley") Sun Valley filed a response in subcase 37-862.

4. On or about January 14, 2008, River Grove Farm filed a Response to Objection asserting the right should exist as recommended.

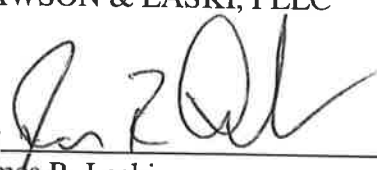
5. Despite the fact that the Notice of Completed Administrative Proceeding indicates that it was served upon "all parties in the subcases affected," the Certificate of Mailing does not appear to list River Grove Farms, Sun Valley, the Concerned Water Users or the Big Wood Canal Company. In addition the Motion for Entry of Special Master Report and Recommendation ("Oliver Motion"), Notice of Hearing referenced in the Oliver Motion were likewise not served on River Grove.

6. Based upon the documents available from the IDWR and SRBA websites, when the split of water right 37-862 occurred, it does not appear the interested parties were provided with notice of the split or of a subsequent objection and response period.

7. River Grove Farm's position depends on whether the Objectors will renew their objections to the progeny rights 37-22255 and 37-22256. If the Objectors are allowed to object to 37-22555 and 37-22556, then River Grove Farm would like to respond to said objections.

DATED this 25th day of February, 2009.

LAWSON & LASKI, PLLC

By 
James R. Laski
Attorneys for Peter Trust d/b/a River Grove
Farm

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on February 25, 2009, I caused to be served a true copy of the foregoing document by the method indicated below, and addressed to each of the following:

Albert P. Barker, Esq.
Barker Rosholt & Simpson
1010 W Jefferson, Suite 102
P.O. Box 2139
Boise, ID 83701-2139

*Representing: Bill Molyneux, Gerald Bashaw,
Grace Eakin, John F. Stevenson, Pepin Corso-
Harris, Pete Van Der Meulen, Rocky Sherbine
and Tom O'Gara*

Hand Delivery
U.S. Mail
Facsimile
Overnight Mail

☐
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☐

Craig D. Hobdey, Esq.
Hobdey & Hobdey
P.O. Box 176
Gooding, ID 83330

Representing: Big Wood Canal Company

Hand Delivery
U.S. Mail
Facsimile
Overnight Mail

☐
☒
☒
☐

Oliver Family Trust
Represented by
Christopher H. Meyer, Esq.
Michael P. Lawrence, Esq.
Givens Pursley LLP
601 W Bannock Street
P.O. Box 2720
Boise, ID 83701-2720

Hand Delivery
U.S. Mail
Facsimile:
Overnight Mail

☐
☒
☒
☐

Peter M. Thomas Trust
Jerome D. Mack Trustee
c/o E. Parry Thomas
P.O. Box 642
Sun Valley, ID 83353

Hand Delivery
U.S. Mail
Facsimile
Overnight Mail

☐
☒
☒
☐

Scott L. Campbell, Esq.
Tara Martens, Esq.
Dylan B. Lawrence, Esq.
Moffatt, Thomas, Barrett, Rock & Fields, Chtd
101 S. Capital Blvd, 10th Street
P.O. Box 829
Boise, ID 83701
*Representing: Sinclair Oil Corporation d/b/a
Sun Valley Company*

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Natural Resources Division Chief
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

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United States Department of Justice
Environment & Natural Resources
MSC 033
550 West Fort Street
Boise, ID 83724

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Director
Idaho Department of Water Resources
322 E. Front Street, 6th Floor
P.O. Box 83720
Boise, ID 83720

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Special Master
Snake River Basin Adjudication
253 3rd Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

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Nicholas B. Spencer, Esq.
Deputy Attorney General
Idaho Department of Water Resources
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

Hand Delivery
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Overnight Mail

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Douglas Jones
Southern Regional Office
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3033

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James R. Laski

101 S. Capitol Blvd., 10th Floor
P. O. Box 829
Boise, Idaho 83701-0829



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02/19/2009

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IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3033

LAWSON & LASKI, PLLC
675 SUN VALLEY ROAD, SUITE A
POST OFFICE BOX 3310
KETCHUM, IDAHO, 83340



Douglas Jones
Southern Regional Office
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3033

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NOV 14 2007

DEPARTMENT OF
WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

A. Subcase 37-22120

(Insert water right number)

STANDARD FORM 1
OBJECTION

*37-22120 represents a claim
against a portion of 37-862.*

Please print or type the following information:

*This has been tentatively resolved by
a change of ownership splitting
37-862 into 22255 Albert Thomas Trust
& 22256 Oliver Family Trust.*

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Oliver Family Trust

Address: c/o OliverMacMillan

733 8th Avenue, San Diego, CA 92101

Daytime Phone: 619-321-1111

Name & Address of Attorney, if any:

Christopher H. Meyer

Givens Pursley, LLP

P.O. Box 2720

Boise, ID 83701

208-388-1236

(chrismeyer@givenspursley.com)

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Oliver Family Trust

Address: c/o OliverMcMillan

733 8th Avenue, San Diego, CA 92101 (619-321-1111)

SF.1 - Objection

Amended 10/16/97

S:\CLIENTS\18784\1w\Objection-0001.doc

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☒ **Name and Address**
Should be: Oliver Family Trust, c/o OliverMcMillan
733 8th Avenue, San Diego, CA 92101 (619-321-1111)
2. ☒ **Source**
Should be: Purdum Slough/Big Wood River (tributary to
Malad River)
3. ☒ **Quantity**
Should be: 0.35 cfs as reflected in the Notice of Change in
Water Right Ownership (Amended Nov. 12, 2007) submitted by
the Oliver Family Trust in connection with Water Right No. 37-862.
4. ☒ **Priority Date**
Should be: 5/11/1883
5. ☒ **Point(s) of Diversion**
Should be: T2N R18E, §5, NWSENE, Blaine County
6. ☐ **Instream Flow Description**
Should be: _____
7. ☒ **Purpose(s) of Use**
Should be: Irrigation
8. ☒ **Period of Year**
Should be: 4/1 to 11/1
9. ☒ **Place of Use**
Should be: 8.2 acres within Lots 7 and 11, as reflected in
Amended Claim and Notice of Change in Water Right Ownership
(Amended Nov. 12, 2007).

11. I object because:

- ☐ This water right should not exist.
- ☒ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):** IDWR disallowed claim No.
37-22120, recommending it instead as No. 37-862. The Oliver Family Trust subsequently filed a

Notice of Change in Water Right Ownership (Amended Nov. 12, 2007) reflecting the fact that the Oliver Family Trust is the owner of the 8.2 acres of irrigated land within lots 7 and 11 of the River Ranch Subdivision to which Water Right No. 37-826 supplies irrigation water. This Objection is filed to conform the Claim for Water Right No. 37-22120 to the water owned by the Oliver Family Trust as reflected in that Notice.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Christopher H. Meyer, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

Christopher H. Meyer
(Attorney signing in representative capacity)

Christopher H. Meyer

Subscribed and sworn to before me on: November 12, 2007



Elizabeth T. Hauer-Kilian
Notary Public for Idaho
Residing at: Boise
My Commission Expires: 5-3-2012

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NOV 14 2007

DEPARTMENT OF
WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

A. Subcase 37-862
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please **print or type** the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Oliver Family Trust
Address: c/o OliverMacMillan
733 8th Avenue, San Diego, CA 92101
Daytime Phone: 619-321-1111

Name & Address of Attorney, if any:

Christopher H. Meyer
Givens Pursley, LLP
P.O. Box 2720
Boise, ID 83701
208-388-1236
(chrismeyer@givenspursley.com)

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Peter M. Thomas Trust, Jerome D. Mack, Trustee
Address: c/o E. Parry Thomas
P.O. Box 642, Sun Valley, ID 83353 (208-622-4987)

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: reduced by the amount of 0.35 cfs as reflected in the Notice of Change in Water Right Ownership (Amended Nov. 12, 2007) submitted by the Oliver Family Trust in connection with this water right.
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: amended to exclude the 8.2 acre place of use owned by the Oliver Family Trust as reflected in the Notice of Change in Water Right Ownership (Amended Nov. 12, 2007) submitted by the Oliver Family Trust in connection with this water right.

11. **I object because:**

- ☐ This water right should not exist.
- ☒ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): The Claimant is no longer the owner of the 8.2 acres of irrigated land within lots 7 and 11 of the River Ranch Subdivision. The Objector is the owner of that portion of the water right

appurtenant to lots 7 and 11. This is reflected in the Notice of Change in Water
Right Ownership (Amended Nov. 12, 2007) filed by the Oliver Family Trust with
the Idaho Department of Water Resources.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Christopher H. Meyer, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

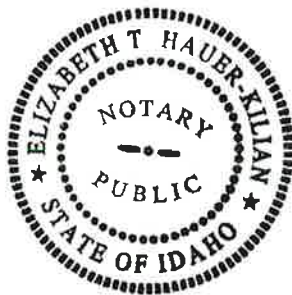
That I am the party/claimant filing this objection as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

Christopher H. Meyer
(Attorney signing in representative capacity)

Christopher H. Meyer

Subscribed and sworn to before me on: November 12, 2007



Elizabeth T. Hauer-Kilian
Notary Public for Idaho
Residing at: Boise
My Commission Expires: 5-3-2012

INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on November 12, 2007, I mailed the original and copies of this response, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Peter M. Thomas Trust, Jerome D. Mack, Trustee
Address: c/o E. Parry Thomas
P.O. Box 642, Sun Valley, ID 83353

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment & Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Christopher H. Meyer
Signature of Objector or attorney
mailing on Objector's behalf

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

A. Subcase No. 37-862

Case No. 39576)

STANDARD FORM 1
OBJECTION

_____)
Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING:

Tom O'Gara
John F. Stevenson
Bill Molyneux
Pete Van Der Meulen
Grace Eakin
Rocky Sherbine
Gerald Bashaw
Pepin Corso-Harris
c/o Concerned Water Users
P.O. Box 1200
Bellevue, ID 83313

Big Wood Canal Company
112 South Apple Street
Shoshone, ID 83352

Name and Address of Attorney, if any:

Albert P. Barker
Barker, Rosholt & Simpson, LLP
P.O. Box 2139
Boise, ID 83701
Telephone: (208) 336-0700
Attorney for O'Gara, Stevenson,
Molyneux, Van Der Meulen, Eakin,
Sherbine & Bashaw

Craig Hobdey
Hobdey & Hobdey
P.O. Box 176
Gooding, ID 83330
Telephone: (208) 934-4420
Attorney for Big Wood Canal Company

C. **CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT:**

Name: Peter M Thomas Trust
c/o Jerome D. Mack & E. Parry Thomas
Address: P.O. Box 642
Sun Valley, ID 83353

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate boxes):

1. ☐ **Name and Address**
Should be:
2. ☐ **Source**
Should be:
3. ☒ **Quantity**
Should be: Diversion rate excessive for POU
4. ☐ **Priority Date**
Should be:
5. ☐ **Point(s) of Diversion**
Should be:
6. ☐ **Instream Flow Beginning and Ending Point**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☒ **Period of Year**
Should be: 4/15 to 10/31
9. ☐ **Place of Use**
Should be:
10. ☒ **I object because:**

☒ This water right should not exist
☐ This water right was not recommended, but should be

recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

Right has been forfeited for non-use or abandoned.

Tom O'Gara
John F. Stevenson
Bill Molyneux
Pete Van Der Meulen
Grace Eakin
Rocky Sherbine
Gerald Bashaw
Pepin Corso-Harris

Big Wood Canal Company

By: [Signature]
Albert P. Barker, Attorney

By: [Signature]
Craig Hobdey, Attorney

F. VERIFICATION

State of IDAHO)
) ss.
County of Ada)

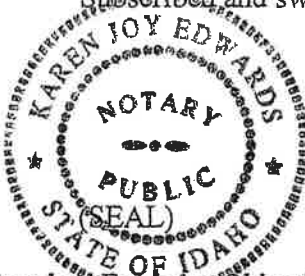
Albert P. Barker, duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6), or that I am the attorney for the party/claimant objecting, and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge, and I have been expressly authorized to sign this objection on behalf of the attorney for Big Wood Canal Company.

(Signature of person filing objection)

[Signature]
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: November 14, 2007



Karen Joy Edwards
Notary Public for Idaho
Residing at: Boise
My Commission Expires: 8/12/2012

Standard Form 1 Objection
Amended 10/16/97

INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. **Fax filings will not be accepted.**
You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on November 1⁴, 2007, I hand-delivered and mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original hand-delivered to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy mailed to the claimant of the water right at the following address:

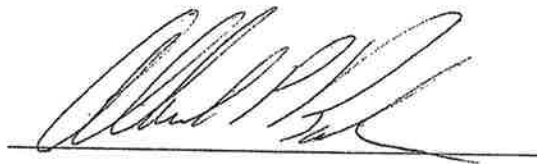
Name: Peter M Thomas Trust
c/o Jerome D. Mack & E. Parry Thomas
Address: P.O. Box 642
Sun Valley, ID 83353

3. Copies mailed to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449



IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR BLAINE COUNTY

A. W. WARR,

Plaintiff

vs.

W. G. SWENDSEN, Commissioner
of Reclamation and Ex-Officio
State Engineer of the State of
Idaho.

Defendant

D E C R E E

This cause coming on to be heard in open Court this 21st day of June, 1920, the Plaintiff appearing in person and by his attorney, John M. Boyle, and the defendant not appearing either in person or by attorney, and it appearing to the Court that the said defendant did not desire to appear, or submit proof in his behalf, and no other person appearing to contest said proceedings, and that proof of publication of the notice of said action required by law had been filed herein, and that the time for answering, and appearing had expired, and that no appearance had been made by any party in interest herein, except by the defendant, W. G. Swendsen, and the Court after hearing the evidence on behalf of the plaintiff, and being fully advised in the premises, and having made its findings of fact and conclusions of law heretofore filed in the said action now orders as follows:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED, That the said plaintiff, A. W. Warr, is the owner and entitled to the use of 160 inches of the waters of Purdum Slough from May 1st, 1883 for irrigation and domestic purposes to be used upon the West half of the Southwest quarter (W¹/2SW¹/4) of Section Four (4) and the East half of the Southeast quarter (E¹/2SE¹/4) of Section Five (5) in Township Two (2) North, Range Eighteen (18) East of the Boise Meridian, in Blaine County, Idaho

Dated at Hailey, Idaho this 21st day of June, 1920

s. H. F. ENSIGN

District Judge

Filed June 21, 1920

Cassie M. Russell, Clerk

by K. A. Sjarring, Deputy

MAY 28 1920

37-E
Decree 37-862

STATE OF IDAHO)
)
County of Blaine)^{ss}

I, Cassie M. Russell, Clerk of the District Court of the Fourth
Judicial District of the State of Idaho, in and for the County of Blaine,
do hereby certify that the foregoing is a full, true and correct copy of the
original decree in the above entitled action now on file in my office.

Given under my hand and the seal of said Court in my office, at Hailey,
this, the 21st day of May, 1921.

attest: CASSIE M. RUSSELL

Clerk

37-862 HISTORICAL ANALYSIS OF ADJUDICATION RECORDS

37-862 Original claim received Oct 26, 1988

Irr @ 3.20 cfs Total claimed 3.20 cfs

Rec@ 3.20 cfs Total acreage 160 ac

Remarks = Rec is flow throu a 3.1 af lined pond

Source = Purdum Slough / Big Wood River (at one location)

It appears that the fees paid for this claim were \$210.00
--

37-862 data entry dated 1-5-1989 (copy not signed)

Irr @ 3.20 cfs Total claimed 3.20 cfs

Dom (no rate entered)

37-862 Amended claim received Dec 19, 2006 data entered 1-4-2007

Irr @ 3.20 cfs Total claimed 3.20 cfs

NO Dom or Rec

POU = 75.4 ac

Source = Purdum Slough / Big Wood River (at one location)

Director's report submitted 2-21-2007.

Change of ownership submitted Nov 13, 2007 to split POU and Irrigation use @
0.35 cfs and 8.2 ac

Analysis:

It appears that a tentative recommendation had been prepared prior to the amended claim but when the recommendation was finalized on 1-18-2007 (an additional remark added 2-14-2007). The amendment was data entered but the recommendation was not updated. When the crunch came for the director's report (2-21-2007) the recommendation went out without reflecting the amended claim.

It appears that the amendment recognized the POU as found by a department agent (unknown att). Other than reducing the acreage and limiting the use to irrigation only, the only other change was to move acres from Sec 5 SWSE to the SESE.

The recreation portion of this right is a part of 37-4420 which is currently under review.

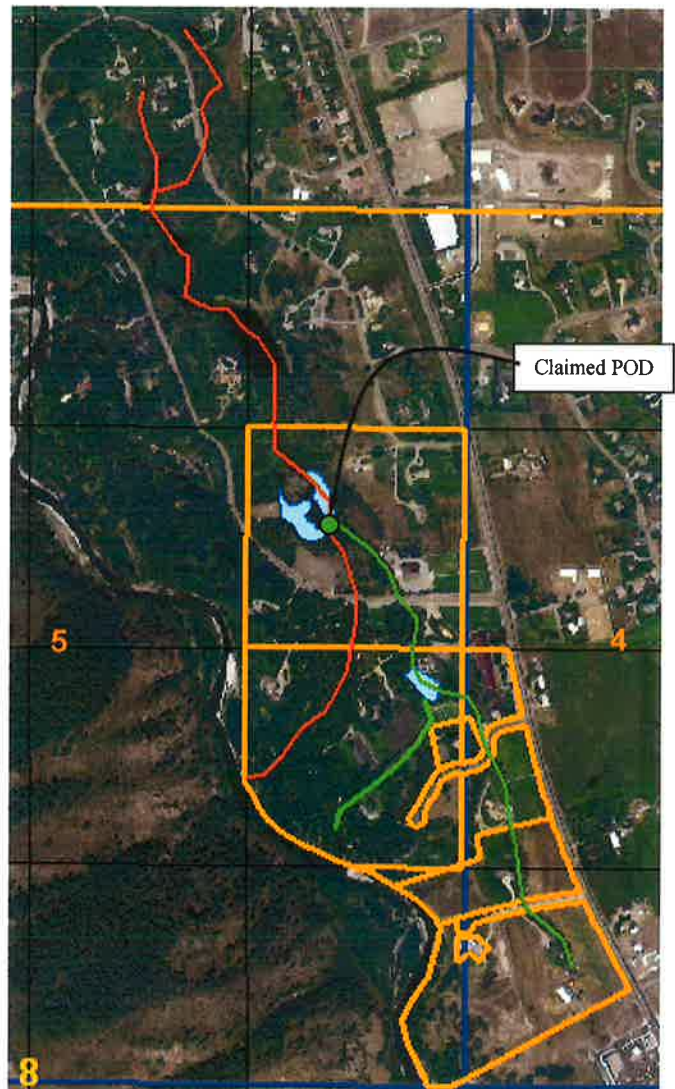
37-4420

The claimed POD is identified as being diverted from a pond on the Willis property. The water then flows through a ditch along a natural channel (as described in the claim file) to a pond (capacity approx 3.1 af) in Lot 1B. The pond is identified in an attached aerial photo as being in Sec 5 NESE but is claimed in Sec 4 NESE. The tax lot information that the department has identifies the lot where the pond is located as Lot 1C.

In item 5 of the amended claim the system is described as flow being diverted from a pond through an overflow section through a ditch along a natural channel and through a 3' parshall flume to the subdivision.

In item 6 the claimed uses are Storage and Recreation. If the water is being diverted from the pond on the Willis property then a diversion to storage component should be a part of the claim. If the flow is actually going through a natural channel then the point of diversion would be where the pond dike takes control of the water within the natural channel. Those items are conflicting statements. Both recreation and storage are identified as 3.1 af. Normally a recreation use volume would describe a recreation storage use not a recreation use. Assuming that the point of diversion is at the Willis pond then there is no diversion to storage component for this claim. Based upon that premise, the use should be diversion to storage of some rate and probably recreation storage for a volume.

The pond is identified as 3.1 af in item 6 and in item 8 total consumptive use is described as 2.0 af. How are those volumes related?



Red orange line possible channel from Willis pond to the Big Wood.
Green lines possible ditch or unnamed stream channel.

Orange lines are associated with the subdivision lots for the Peter Thomas Trust, Oliver Family and others.
Salmon polygons approximate ponds.
2004 aerial photo 2N, 18E Sec 5

PURDUM SLOUGH AS A SOURCE

The Purdum slough in recent department history has been identified as a braided channel of the Big Wood River splitting from the Big Wood River in 03N, 18E, Sec 20 SESW and returning to the Big Wood River in 03N, 18E, Sec 32 SENW.

Based upon currently available information, the Purdum Slough was not a decreed source for any right listed in the Frost decree. Nor does the Purdum Slough show up as an identified feature on the USGS quad maps as an official source.

The Purdum Slough was identified as the source for 37-862 which was decreed in the Warr v Swendon decree. That right is the base right for 37-22255 and 37-22256

Some rights associated with this channel identify the Sec 20 location as the point of diversion with a second point of diversion where the respective right then diverts from that channel which is where the right is measured by the watermaster for Water district 37. Other rights only list the location where water is diverted and measured from the channel. The source is listed as the Big Wood River.

It is my understanding based upon limited information that at the time of the Frost decree, the Purdum Slough referred more to an area than a specific source.



January 18, 2007

DAN S FAIRMAN MD
MELYNDA KIM STANDLEE FAIRMAN
PO BOX 2499
HAILEY ID 83333

RE: Recommendation for Snake River Basin Adjudication (SRBA) claim 37-862A

Dear Mr. and Ms. Fairman,

Through the Notice of Error process I have re-reviewed the recommendations for the splits of water right 37-862. The result of this review has returned the following:

There are three claims filed for decreed right 37-862

37-862	Peter Trust	3.2 cfs
37-862A	Dan S Fairman MD	0.04 cfs
37-22120	Oliver Family Trust	3.2 cfs

Since the original right 37-862 was decreed for 3.2 cfs, this right has been over claimed.

All three of the claims filed claim the place of use within the original decreed place of use. None of the claim files contain any evidence such as a deed or other means of conveyance verifying that any portion of original water right 37-862 is applicable to a particular parcel or person.

So at this, time the best evidence I have of water right ownership is the water master delivery records. I have access to water master records dated February of 2005 and November of 2006. Both sets of records show delivery of water right 37-862 in full in the name of E Perry Thomas (Peter Trust, dba: River Grove Farms).

Based on this, IDWR has recommended water right 37-862 in full to Peter Trust or SRBA claim 37-862.

The recommendation for your SRBA claim 37-862A has been changed and recommended as disallowed with the condition stating, "Recommended as 37-862". The same recommendation has been made for claim 37-22120.

This is consistent with the water master delivery records. In addition, despite SRBA claims 37-862A and 37-22120 being recommended as disallowed, the water right 37-862 is still applicable to the property described under these claims so the water claimed is still applicable to the property.

I have contacted both representatives of claimants for 37-862 and 37-22120 and informed them of these recommendations. Without speaking for them, my understanding is that there is not a dispute that a portion of water right 37-862 is applicable to the property described in claim 37-

862A. I encourage you to work with them to come to an agreement regarding delivery of the water right to your property.

Please feel free to contact me if you have any questions.

Respectfully submitted,

Craig L. Saxton
Water Right Supervisor
Adjudication Bureau

Cc: GIVENS PURSLEY LLP
C/O CHRISTOPHER H MEYER
601 W BANNOCK ST
BOISE ID 83701

BROCKWAY ENGINEERING
C/O JASON C HELMS
2016 N WASHINGTON ST SUITE 4
TWIN FALLS ID 83301

Memorandum

Date: March 13, 2009

To: File 37-22255 & 37-22256

From: Craig L. Saxton

Subject: Recommendation Basis for 37-862 (37-22255 & 37-22256)

On March 6, 2009, I was contacted by Deputy Attorney General, Nick Spencer regarding 37-862 which has been split into 37-22255 and 37-22256. My understanding is Al Barker had contacted Nick and wanted to know why IDWR did not recommended right 37-862 as forfeited.

On March 9, 2009, Chris Meyer and Basin 37 water master Kevin Lakey contacted me by phone to ask what the basis was for recommending right 37-862.

My understanding is that the purpose for both inquiries revolves around a remark that can be found in a scanned copy of the Water Right Claims Proof Reading Report for 37-862 that states:

RT. NOT USED FOR AT LEAST 17 YEARS ACCORDING TO WATERMASTER.

This scanned report is dated 12/15/1989, but the remark is still shown on the water right record for 67-862 found on the IDWR database.

Basis for Recommendation:

The recommendation was verified in the IDWR database on 1-18-2007. I do not remember all of the specifics of my analysis at that time however there is a scanned E-mail dated 1-18-2007 that speaks of historic delivery of the right:

"I have access to watermaster records dated February of 2005 and November of 2006. Both sets of records show delivery of water right 37-862 in full to E Perry Thomas (Peter Trust, DBA: River Grove Farms.)"

The Southern Region office scanned the claim file but I cannot find copies of the referenced watermaster records in the claim file. However, I did obtain a copy of records titled "*Water District 37 Big Wood River Above Magic Decree Book*" from Steve Clelland this morning that shows delivery of 37-862 to E Parry Thomas. There isn't a date on these records but they are thought to be about 3 years old.

There is also an e-mail in the scanned documents sent from Dave Tuthill in November of 2006, to Christopher Meyer, Jill Eshman and Charles Brockway that acknowledges that the watermaster shows delivery of 37-862.

During my conversation with Chirs Meyer and Kevin Lakey, we discussed the fact that 37-862 was delivered out of the Purdum slough. This fact matches the 1921 decree, *AW Warr vs. WG Swendsen*, that describes the source of water right 37-862 as being the Purdum Slough.

I do not see clear and convincing evidence to support forfeiture of 37-862.

IDWR CONCURRENCE:

Kelly K. Christensen 10-20-2010

Kelly K. Christensen
Sr. Water Resource Agent

Date

IDWR CONCURRENCE:

Nicholas B. Spencer
Deputy Attorney General
Attorney for IDWR

Date

06/25/2010

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-22256

NAME AND ADDRESS: OLIVER FAMILY TRUST
C/O OLIVER MCMILLAN
733 8TH AVE
SAN DIEGO CA 92101

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.350 CFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for irrigation of the lands above.

The quantity of water under this right and 37-22255 for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/01/1883

POINT OF
DIVERSION:

T02N R18E S5 NWSENE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.350 CFS
~~DOMESTIC~~	~~01/1 12/31~~	~~0.020 CFS~~

PLACE OF USE: IRRIGATION in BLAINE County

T02N R18E S04	NWSW	3.10	T02N R18E S04	SWSW	~~3.30~~ 2.90
T02N R18E S05	SESE	~~4.80~~ 1.90			
8.2-7.2 ACRES TOTAL					

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.

The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 37-862.

Property is also known as Lots 7 & 11, River Grove Farm Subd.

In settlement of objections to this water right, the right holder, the objecting parties, and the Department have agreed to add a condition requiring installation of a measuring device and controlling works. This condition is added with the understanding that the right holder will be allowed a reasonable period of time to pursue a transfer of the point of diversion for this water right before the devices must be installed. If that transfer is approved, the condition will be retained for the transferred right and will become enforceable six months after transfer approval. If the transfer application is not filed within six months following issuance of the partial decree, the condition will become enforceable at that time. If the transfer application is denied, the condition will become enforceable with respect to the water right as decreed six months after transfer denial.

Christensen, Kelly

From: Christensen, Kelly
Sent: Tuesday, September 07, 2010 8:49 AM
To: Ridgeway, Renea; Spencer, Nick
Subject: 37-22256 SF-5 ready for report if o.k. with court

VERIFIED BY KKC
9-7-10

Nick,

Per request by Chris Meyer, attached is the SF-5 for this right if you think that this one can proceed without 37-22255.



37-22256 Oliver
Fam SF-5 6-201...

Kelly K Christensen
Sr Water Resource Agt
Boise, Western Region
(208)-334-2190

06/25/2010

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-22256

NAME AND ADDRESS: OLIVER FAMILY TRUST
C/O OLIVER MCMILLAN
733 8TH AVE
SAN DIEGO CA 92101

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.350 CFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for irrigation of the lands above.

The quantity of water under this right and 37-22255 for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/01/1883

POINT OF
DIVERSION:

T02N R18E S5 NWSENE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.350 CFS
~~DOMESTIC~~	~~01/1 12/31~~	~~0.020 CFS~~

PLACE OF USE: IRRIGATION in BLAINE County

T02N R18E S04	NWSW	3.10	T02N R18E S04	SWSW	~~3.30~~ 2.90
T02N R18E S05	SESE	~~1.80~~ 1.90			

8.2-7.9 ACRES TOTAL

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.

The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 37-862 .

Property is also known as Lots 7 & 11, River Grove Farm Subd.

Daly, et al. v. Josslyn, 7 Idaho 657, 65 P. 442 (Idaho Supreme Court, May 27, 1901)

▪ Seaman's Creek

Daly and others brought this action against Josslyn to obtain specific enforcement of contract. The original owners of lands owned by Josslyn and Daly entered into a contract that divided the waters of Seaman's Creek into thirds after providing 150 inches to the city of Bellevue. Josslyn claimed all of the waters of Seaman's Creek. Josslyn also claimed that he was not subject to the original contract entered into by the predecessors in interest. The Idaho Supreme Court held that the contract was not enforceable but still served the purpose of competent evidence as to the determination of water rights on Seaman's Creek. The court modified the trial court opinion by eliminating the contractual provisions of specific performance and by providing that each of the three landowners were entitled to one-third of Seaman's Creek water after allowing 150 inches to flow to the city of Bellevue.

MEMORANDUM

*Attorney-Client Communication
Attorney Work Product
Privileged and Confidential*

TO: Nicholas B. Spencer, Deputy Attorney General
Kelly K. Christensen, Western Regional Office
Douglas Jones, Southern Regional Office
Albert P. Barker, Barker, Rosholt & Simpson, LLP
Craig D. Hobdey, Hobdey & Hobdey
James R. Laski, Lawson Laski Clark & Pogue, PLLC

FROM: Christopher H. Meyer

RE: Oliver Family Trust – Water Right No. 37-22256

DATE: August 4, 2010 (corrected version)

This follows yesterday's memorandum. Please let me know if these changes are acceptable to everyone.

The "condition" language remains unchanged from yesterday's version:

"The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion."

The "explanatory material" language is revised per request of Craig Hobdey as follows (in redline format):

"In settlement of objections to this water right, the right holder, the objecting parties, and the Department have agreed to add a condition requiring installation of a measuring device and controlling works. This condition is added with the understanding that the right holder will be allowed a reasonable period of time to pursue a transfer of the point of diversion for this water right before the devices must be installed. If that transfer is approved, the condition will be retained for the transferred right and will become enforceable shortly-six months after transfer approvalthereafter allowing a reasonable amount of time to install the devices. If the transfer application is not promptly filed within six months following issuance of the partial decree, the

condition will become enforceable at that time. ~~or if the transfer application is denied, the condition will become enforceable with respect to the water right as decreed six months after transfer denial allowing a reasonable amount of time to install the devices.~~

Without the redlining, the “explanatory material” would read as follows:

“In settlement of objections to this water right, the right holder, the objecting parties, and the Department have agreed to add a condition requiring installation of a measuring device and controlling works. This condition is added with the understanding that the right holder will be allowed a reasonable period of time to pursue a transfer of the point of diversion for this water right before the devices must be installed. If that transfer is approved, the condition will be retained for the transferred right and will become enforceable six months after transfer approval. If the transfer application is not filed within six months following issuance of the partial decree, the condition will become enforceable at that time. If the transfer application is denied, the condition will become enforceable with respect to the water right as decreed six months after transfer denial.”

cc: Morgan Dene Oliver, Oliver Family Trust
Scott N. King, SPF Water Engineering, LLC

CHM:chm

08/09/2010

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-22256

NAME AND ADDRESS: OLIVER FAMILY TRUST
C/O OLIVER MCMILLAN
733 8TH AVE
SAN DIEGO CA 92101

*Proposed SF-5
Rec
8-9-10*

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.350 CFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for irrigation of the lands above.

The quantity of water under this right and 37-22255 for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/01/1883

POINT OF
DIVERSION:

T02N R18E S5 NWSENE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.350 CFS
~~DOMESTIC~~	~~01/01 12/31~~	~~0.020 CFS~~

PLACE OF USE: IRRIGATION in BLAINE County

T02N R18E S04	NWSW	3.10	T02N R18E S04	SWSW	~~3.30~~ 2.90
T02N R18E S05	SESE	~~1.80~~ 1.90			

~~DOMESTIC same as IRRIGATION~~

~~8.2~~ 7.9 ACRES TOTAL

~~Right Nos. 37-22255, 37-22256, and 37-4312 are limited to the irrigation of a combined total of 19 acres within Section 4 SWSW 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.

~~The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.~~

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 37-862 .

Property is also known as Lots 7 & 11, River Grove Farm Subd.

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Case No. 39576

*Superceeded
8-9-2010
Kkc*

Subcase No.: 37-22256

STANDARD FORM 5

**STIPULATED ELEMENTS OF A
WATER RIGHT**

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT / OBJECTOR :

OBJECTORS:

Christopher H. Meyer Date
Attorney for Oliver Family Trust

Craig D. Hobdey Date
Attorney for Big Wood Canal Company

RESPONDENT:

James R. Laski Date
Attorney for Peter M. Thomas Trust

Albert P. Barker Date
Attorney for Tom O'Gara, John F.
Stevenson, Bill Molyneux, Pete Van Der
Meulen, Grace Eakin, Gerald Bashaw, and
Pepin Corso-Harris

IDWR CONCURRENCE:

Kelly K. Christensen 6-30-10

Kelly K. Christensen
Sr. Water Resource Agent

Date

IDWR CONCURRENCE:

Nicholas B. Spencer Date
Deputy Attorney General
Attorney for IDWR

06/25/2010

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-22256

NAME AND ADDRESS: OLIVER FAMILY TRUST
C/O OLIVER MCMILLAN
733 8TH AVE
SAN DIEGO CA 92101

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.350 CFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for irrigation of the lands above.

The quantity of water under this right and 37-22255 for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/01/1883

POINT OF
DIVERSION:

T02N R18E S5 NWSENE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.350 CFS
~~DOMESTIC~~	~~01/1 12/31~~	~~0.020 CFS~~

PLACE OF USE: IRRIGATION in BLAINE County

T02N R18E S04	NWSW	3.10	T02N R18E S04	SWSW	~~3.30~~ 2.90
T02N R18E S05	SESE	~~1.80~~ 1.90			
0.2-7.9 ACRES TOTAL					

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.

The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 37-862.

Property is also known as Lots 7 & 11, River Grove Farm Subd.

CERTIFICATE OF SERVICE

I certify that on _____, 2010, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered

Christopher H. Meyer
Givens Pursley, LLP
P.O. Box 2720
Boise, ID 83701

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

James R. Laski
Lawson Laski Clark & Pogue PLLC
P.O. Box 3310
Ketchum, ID 83340

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Craig D. Hobdey
Hobdey & Hobdey
P.O. Box 176
Gooding, ID 83330

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Albert P. Barker
Barker, Rosholt & Simpson LLP
P.O. Box 2139
Boise, ID 83701-2139

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Signature of person or attorney mailing the form

06/25/2010

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-22256

NAME AND ADDRESS: OLIVER FAMILY TRUST
C/O OLIVER MCMILLAN
733 8TH AVE
SAN DIEGO CA 92101

VERIFIED BY KKC
6-25-10

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.350 CFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for irrigation of the lands above.

The quantity of water under this right and 37-22255 for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/01/1883

POINT OF
DIVERSION:

T02N R18E S5 NWSENE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.350 CFS
DOMESTIC	01/1 12/31	0.020 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T02N R18E S04	NWSW	3.10	T02N R18E S04	SWSW	3.30	2.90
T02N R18E S05	SESE	1.80	1.90			

8.2-7.9 ACRES TOTAL

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.

The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 37-862 .

Property is also known as Lots 7 & 11, River Grove Farm Subd.

COPY

FILED
TWIN FALLS CO. ID.
2008 FEB 8 PM 12:04

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

Subcase No. 37-862 (Split)
37-22255 & 37-22256

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☒ Yes ☐ No

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated:

1/22/08

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 2/6, 2008, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707

2. Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Christopher Meyer
Givens Pursley LLP
PO Box 2720
Boise ID 83701

Charles E Brockway
Brockway Engineering
2016 N Washington St #4
Twin Falls ID 83301



Signature of person or attorney mailing the form

01/18/2008

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
37-862	PETER M THOMAS TRUST JEROME D MACK TRUSTEE C/O E PARRY THOMAS PO BOX 642 SUN VALLEY ID 83353	Disallowed	Recommended as 37-22255 & 37-22256

01/22/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-22255

NAME AND ADDRESS: PETER M THOMAS TRUST
JEROME D MACK TRUSTEE
C/O E PARRY THOMAS
PO BOX 642
SUN VALLEY ID 83353

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 2.850 CFS

The quantity of water under this right and 37-22256 for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/01/1883

POINT OF
DIVERSION:

T02N R18E S5 NWSENE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
IRRIGATION	04/01 11/01	2.850 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T02N R18E S04	NWSW	9.30	T02N R18E S04	SWSW	15.70
T02N R18E S05	NESE	36.00	T02N R18E S05	SESE	6.20

DOMESTIC same as IRRIGATION

67.2 ACRES TOTAL

Right Nos. 37-22255, 37-22256 and 37-4312 are limited to the irrigation of a combined total of 19 acres within Section 4 SWSW 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.

The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Property is also known as River Grove Farm Subd., less Lots 7 & 11.

This right is a split from former right 37-862.

01/22/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-22256

NAME AND ADDRESS: OLIVER FAMILY TRUST
C/O OLIVER MCMILLAN
733 8TH AVE
SAN DIEGO CA 92101

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.350 CFS

The quantity of water under this right and 37-22255 for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/01/1883

POINT OF
DIVERSION:

T02N R18E S5 NWSENE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.020 CFS
IRRIGATION	04/01 11/01	0.350 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T02N R18E S04	NWSW	3.10	T02N R18E S04	SWSW	3.30
T02N R18E S05	SESE	1.80			

DOMESTIC same as IRRIGATION

8.2 ACRES TOTAL

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

The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

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 - Decreed

Property is also known as Lots 7 & 11, River Grove Farm Subd.

This right is a split from former right 37-862.

04/23/2010

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-22256

NAME AND ADDRESS: OLIVER FAMILY TRUST
C/O OLIVER MCMILLAN
733 8TH AVE
SAN DIEGO CA 92101

SF-5

VERIFIED BY

KKC

4-23-10

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.350 CFS

PRIORITY DATE: 05/01/1883

POINT OF
DIVERSION:

T02N R18E S5 SENE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.020 CFS

IRRIGATION

04/15 10/31

0.350 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T02N R18E S04

NWSW

3.10

T02N R18E S04

SWSW

2.90

T02N R18E S05

SESE

1.90

DOMESTIC same as IRRIGATION

7.9 ACRES TOTAL

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.

The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 37-862.

Property is also known as Lots 7 & 11, River Grove Farm Subd.

Superceded
6-25-10
KKC

37-862 HISTORICAL ANALYSIS OF ADJUDICATION RECORDS

37-862 Original claim received Oct 26, 1988

Irr @ 3.20 cfs Total claimed 3.20 cfs

Rec@ 3.20 cfs Total acreage 160 ac

Remarks = Rec is flow throu a 3.1 af lined pond

Source = Purdum Slough / Big Wood River (at one location)

It appears that the fees paid for this claim were \$210.00
--

37-862 data entry dated 1-5-1989 (copy not signed)

Irr @ 3.20 cfs Total claimed 3.20 cfs

Dom (no rate entered)

37-862 Amended claim received Dec 19, 2006 data entered 1-4-2007

Irr @ 3.20 cfs Total claimed 3.20 cfs

NO Dom or Rec

POU = 75.4 ac

Source = Purdum Slough / Big Wood River (at one location)

Change of ownership submitted Nov 13, 2007 to split POU and Irrigation use @
0.35 cfs and 8.2 ac

Analysis:

It appears that a tentative recommendation had been prepared prior to the amended claim but when the recommendation was finalized on 1-18-2007 (an additional remark added 2-14-2007). The amendment was data entered but the recommendation was not updated. When the crunch came for the director's report (2-21-2007) the recommendation went out without reflecting the amended claim.

It appears that the amendment recognized the POU as found by a department agent (unknown att). Other than reducing the acreage and limiting the use to irrigation only, the only other change was to move acres from Sec 5 SWSE to the SESE.

The recreation portion of this right is a part of 37-4420 which is currently under review.

Probably the biggest issue is that 37-22255 is the other child and is currently recommended for

Domestic & irrigation with a remark stating

The quantity of water under this right and 37-22256 for domestic use shall not exceed 13,000 gallons per day.

From the research I have done on 37-22255, it appears that the domestic use probably should not be a part of the right. As there are issues with 37-4420 (potential overlapping right with 37-22255) I have not done much with this right. Vicki was concerned that if we report 37-22256 out of sync with 37-22255 that there might be problems down the road when we finally move forward on 22255. Personally even if there ends up with some quirky difference such as including the domestic use as a part of the uses I don't think that it should impact 37-22256. God only knows where we will end up as Brockway is the consultant on this one.

In my recommendation for 37-22256 I am not including any domestic component and was going to proceed with a rec with irrigation only. Chris really wants to move forward on this one so that they can file a transfer to change the point of diversion.

Vicki might have additional issues also.



COPY

FILED
2008 FEB 3 12 04

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	Subcase No. 37-862 (Split)
	)	37-22255 & 37-22256
Case No. 39576	)	
	)	NOTICE OF COMPLETED
_____	)	ADMINISTRATIVE PROCEEDING

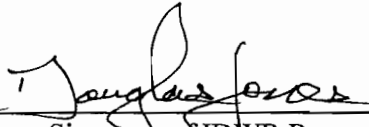
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☒ Yes ☐ No

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 1/22/08



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 2/6, 2008, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

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Twin Falls ID 83303-2707

2. Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Christopher Meyer
Givens Pursley LLP
PO Box 2720
Boise ID 83701

Charles E Brockway
Brockway Engineering
2016 N Washington St #4
Twin Falls ID 83301



Signature of person or attorney mailing the form

01/18/2008

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
37-862	PETER M THOMAS TRUST JEROME D MACK TRUSTEE C/O E PARRY THOMAS PO BOX 642 SUN VALLEY ID 83353	Disallowed	Recommended as 37-22255 & 37-22256

01/22/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-22255

NAME AND ADDRESS: PETER M THOMAS TRUST
JEROME D MACK TRUSTEE
C/O E PARRY THOMAS
PO BOX 642
SUN VALLEY ID 83353

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 2.850 CFS

The quantity of water under this right and 37-22256 for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/01/1883

POINT OF
DIVERSION:

T02N R18E S5 NWSENE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
IRRIGATION	04/01 11/01	2.850 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T02N R18E S04	NWSW	9.30	T02N R18E S04	SWSW	15.70
T02N R18E S05	NESE	36.00	T02N R18E S05	SESE	6.20

DOMESTIC same as IRRIGATION

67.2 ACRES TOTAL

Right Nos. 37-22255, 37-22256 and 37-4312 are limited to the irrigation of a combined total of 19 acres within Section 4 SWSW 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.

The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Property is also known as River Grove Farm Subd., less Lots 7 & 11.

This right is a split from former right 37-862.

01/22/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-22256

NAME AND ADDRESS: OLIVER FAMILY TRUST
C/O OLIVER MCMILLAN
733 8TH AVE
SAN DIEGO CA 92101

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.350 CFS

The quantity of water under this right and 37-22255 for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/01/1883

POINT OF
DIVERSION:

T02N R18E S5 NWSENE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.020 CFS
IRRIGATION	04/01 11/01	0.350 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T02N R18E S04	NWSW	3.10	T02N R18E S04	SWSW	3.30
T02N R18E S05	SESE	1.80			

DOMESTIC same as IRRIGATION

8.2 ACRES TOTAL

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

The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

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 - Decreed

Property is also known as Lots 7 & 11, River Grove Farm Subd.

This right is a split from former right 37-862.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

February 5, 2008

CHRISTOPHER MEYER
GIVENS PURSLEY LLP
PO BOX 2720
BOISE ID 83701

RE: SRBA Claim(s) 37-862

Dear Counselor:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: C.E. Brockway
Brockway Engineering
2016 Washington St N #4
Twin Falls ID 83301



Idaho Department of Water Resources

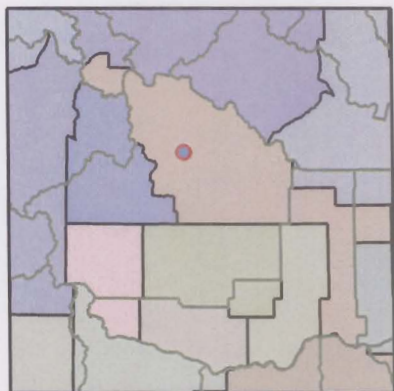
SRBA Recommendation:

37-22256

(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Blaine County
IDWR Basin 37



0 0.2 0.4 Miles

Prepared by T. Fawcett
On Friday, January 18, 2008
1987/88 Aerial Photography

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
A. Subcase 37-862
(Insert water right number)
STANDARD FORM 1
OBJECTION

Please **print or type** the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Oliver Family Trust
Address: c/o OliverMacMillan
733 8th Avenue, San Diego, CA 92101
Daytime Phone: 619-321-1111

Name & Address of Attorney, if any:

Christopher H. Meyer
Givens Pursley, LLP
P.O. Box 2720
Boise, ID 83701
208-388-1236
(chrismeyer@givenspursley.com)

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Peter M. Thomas Trust, Jerome D. Mack, Trustee
Address: c/o E. Parry Thomas
P.O. Box 642, Sun Valley, ID 83353 (208-622-4987)

appurtenant to lots 7 and 11. This is reflected in the Notice of Change in Water Right Ownership (Amended Nov. 12, 2007) filed by the Oliver Family Trust with the Idaho Department of Water Resources.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

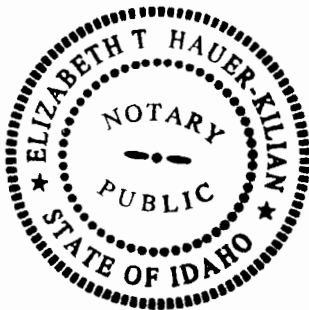
Christopher H. Meyer, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

Christopher H. Meyer
(Attorney signing in representative capacity)
Christopher H. Meyer

Subscribed and sworn to before me on: November 12, 2007



Elizabeth T. Hauer-Kilian
Notary Public for Idaho
Residing at: Boise
My Commission Expires: 5-3-2012

INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on November 12, 2007, I mailed the original and copies of this response, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

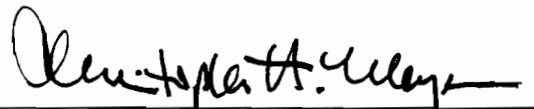
Name: Peter M. Thomas Trust, Jerome D. Mack, Trustee
Address: c/o E. Parry Thomas
P.O. Box 642, Sun Valley, ID 83353

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment & Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Christopher H. Meyer
Signature of Objector or attorney
mailing on Objector's behalf

RECEIVED

NOV 13 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA
Case No. 39576

A. Subcase 37-22120

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please **print or type** the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Oliver Family Trust
Address: c/o OliverMacMillan
733 8th Avenue, San Diego, CA 92101
Daytime Phone: 619-321-1111

Name & Address of Attorney, if any:

Christopher H. Meyer
Givens Pursley, LLP
P.O. Box 2720
Boise, ID 83701
208-388-1236
(chrismeyer@givenspursley.com)

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Oliver Family Trust
Address: c/o OliverMacMillan
733 8th Avenue, San Diego, CA 92101 (619-321-1111)

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☒ **Name and Address**
Should be: Oliver Family Trust, c/o OliverMcMillan
733 8th Avenue, San Diego, CA 92101 (619-321-1111)
2. ☒ **Source**
Should be: Purdum Slough/Big Wood River (tributary to
Malad River)
3. ☒ **Quantity**
Should be: 0.35 cfs as reflected in the Notice of Change in
Water Right Ownership (Amended Nov. 12, 2007) submitted by
the Oliver Family Trust in connection with Water Right No. 37-862.
4. ☒ **Priority Date**
Should be: 5/11/1883
5. ☒ **Point(s) of Diversion**
Should be: T2N R18E, §5, NWSENE, Blaine County
6. ☐ **Instream Flow Description**
Should be: _____
7. ☒ **Purpose(s) of Use**
Should be: Irrigation
8. ☒ **Period of Year**
Should be: 4/1 to 11/1
9. ☒ **Place of Use**
Should be: 8.2 acres within Lots 7 and 11, as reflected in
Amended Claim and Notice of Change in Water Right Ownership
(Amended Nov. 12, 2007).

11. **I object because:**

- ☐ This water right should not exist.
- ☒ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): IDWR disallowed claim No.
37-22120, recommending it instead as No. 37-862. The Oliver Family Trust subsequently filed a

Notice of Change in Water Right Ownership (Amended Nov. 12, 2007) reflecting the fact that the Oliver Family Trust is the owner of the 8.2 acres of irrigated land within lots 7 and 11 of the River Ranch Subdivision to which Water Right No. 37-826 supplies irrigation water. This Objection is filed to conform the Claim for Water Right No. 37-22120 to the water owned by the Oliver Family Trust as reflected in that Notice.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Christopher H. Meyer, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

Christopher H. Meyer
(Attorney signing in representative capacity)

Christopher H. Meyer

Subscribed and sworn to before me on: November 12, 2007



Elizabeth T. Hauer-Kilian
Notary Public for Idaho
Residing at: Boise
My Commission Expires: 5-3-2012

INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on November 12, 2007, I mailed the original and copies of this response, including all attachments, to the following persons:

1. Original to:

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PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the address above, with a courtesy copy to the Claimant for Water Right No. 37-862 at the following address:

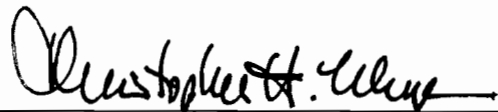
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United States Department of Justice
Environment & Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Christopher H. Meyer
Signature of Objector or attorney
mailing on Objector's behalf

Merritt, Allen

From: Christopher H Meyer [ChrisMeyer@givenspursley.com]
Sent: Monday, October 29, 2007 11:15 AM
To: Merritt, Allen
Cc: Saxton, Craig; 'leebrown@cox.net'
Subject: FW: Change of Ownership for 37-862

Allen,
Here the the email I rec'd from Craig Saxton.
-Chris

Craig, thanks for the speedy response!
-Chris

cc: Lee Brown

(Reply from chrismeyer@givenspursley.com)

From: Saxton, Craig [mailto:Craig.Saxton@idwr.idaho.gov]
Sent: Monday, October 29, 2007 11:05 AM
To: Christopher H Meyer
Subject: Change of Ownership for 37-862

Dear Mr. Meyer,

I looked into the location of file 37-862 and it is currently at the southern region office in Twin Falls. The SRBA court summary report for 37-862 does not indicate that they have received a NCAP showing that there has been a change in the water right record, so as far as I can tell, the change of ownership is still at Southern waiting to be completed. You will have to contact Southern Region to find out the status on that (208-736-3033). Sorry I don't know more there.

As far as how to split the right:

You said that your client owns 8.3 acres of the recommended place of use for 37-862. In most cases, when a water right is split due to a change of ownership, it is split proportionally.

37-862 was recommended for 3.2 cfs on 75.4 acres or 0.0424 cfs per acre. So the proportionate diversion rate for 8.3 acres (*I found 8.2 acres*) would be $(8.3 \text{ acres})(0.0424) = 0.35 \text{ cfs}$.

Hope this helps.

Have a good Monday!

Craig L. Saxton

10/29/2007

No. C 162498	Due no later than Sep 30, 2007 Annual Report Form		2. Registered Agent and Address (NO PO BOX)																																		
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. RIVER GROVE RANCH HOMEOWNERS' ASSOCIATION, INC. JAMES LASKI LAWSON & LASKI PLLC PO BOX 3310 KETCHUM ID 83340		LAWSON & LASKI PLLC 675 SUN VALLEY RD STE A KETCHUM ID 83340 3. <u>New</u> Registered Agent Signature:*																																		
	4. Corporations: Enter Names and Business Addresses of President, Secretary, Directors and(optional) Treasurer. <table border="1"> <thead> <tr> <th>Office Held</th> <th>Name</th> <th>Street or PO Address</th> <th>City</th> <th>State</th> <th>Country</th> <th>Postal Code</th> </tr> </thead> <tbody> <tr> <td>DIRECTOR</td> <td>BOB MCDONALD</td> <td>PO 2029</td> <td>HAILEY</td> <td>ID</td> <td>USA</td> <td>83333</td> </tr> <tr> <td>PRESIDENT</td> <td>DOUG WALTON</td> <td>P.O. 1093</td> <td>KETCHUM</td> <td>ID</td> <td>USA</td> <td>83340</td> </tr> <tr> <td>SECRETARY</td> <td>DAN FAIRMAN</td> <td>106 RIVER GROVE LANE</td> <td>HAILEY</td> <td>ID</td> <td>USA</td> <td>83333</td> </tr> <tr> <td>SECRETARY</td> <td>PATRICIA WEAVER</td> <td>PO 1413</td> <td>HAILEY</td> <td>ID</td> <td>USA</td> <td>83333</td> </tr> </tbody> </table>			Office Held	Name	Street or PO Address	City	State	Country	Postal Code	DIRECTOR	BOB MCDONALD	PO 2029	HAILEY	ID	USA	83333	PRESIDENT	DOUG WALTON	P.O. 1093	KETCHUM	ID	USA	83340	SECRETARY	DAN FAIRMAN	106 RIVER GROVE LANE	HAILEY	ID	USA	83333	SECRETARY	PATRICIA WEAVER	PO 1413	HAILEY	ID	USA
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5. Organized Under the Laws of: ID C 162498	6. Annual Report must be signed.* Signature: James R. Laski Name (type or print): James R. Laski Date: 08/16/2007 Title: Authorized Agent																																				
Processed 08/16/2007	*Electronically provided signatures are accepted as original signatures.																																				