

Idaho Department of Water Resources Receipt

Receipt ID C082934

Payment Amount \$132.00 Date Received 1/2/2007 4:27:38 PM Region State Status
Payment Type Check Check Number 35309

Payer RINGERT CLARK CHARTERED LAWYERS ACCOL
Comment 78-00142B 78-00143B

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$66.00	BENEFICIAL USE	0229	21	56104	1155
\$66.00	BENEFICIAL USE	0229	21	56104	1155



Signature Line (Dept. Representative)

Claim Filed 78-12309
Filing fee \$100.00

Laura E. Burri
Jeffrey R. Christenson
David P. Claiborne
D. Blair Clark
S. Bryce Farris
Jon C. Gould
David Hammerquist
Charles L. Honsinger
James P. Kaufman
Jennifer Reid Mahoney
James G. Reid
Daniel V. Steenson

William F. Ringert, of Counsel
Allyn L. Sweeney, of Counsel
Samuel Kaufman (1921-1986)

January 2, 2007

RECEIVED

JAN 02 2007

DEPARTMENT OF
WATER RESOURCES

Delivered by Hand

Mr. Carter Fritschle
Adjudication Bureau
IDWR State Office
P.O. Box 83720
Boise, ID 83720-0098

Re: Notices of Claim for McNeal Family Limited Partnership

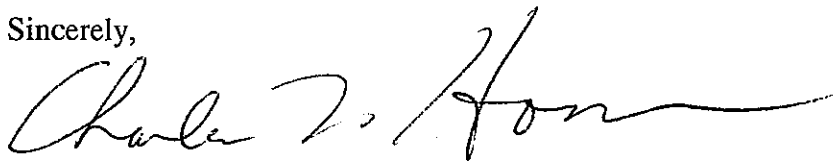
for Water Right Nos. 78-142B, 78-142D, 78-143B, 78-143C, 78-144B, 78-2018A, 78-2018B,
78-4282, 78-7238

Dear Carter:

Per our discussion of last Friday, December 29, 2006, enclosed please find: (1) Amended Notices of Claim for water right nos. 78-00142B and 78-00143B that correct the priority date for the water rights from June 15, 1906 to May 15, 1906; (2) Notices of Claim for "beneficial use" water rights for which the purpose of use and other elements (other than priority) are claimed the same as the claims for 78-02018A and 78-02018B; and (3) a check payable to IDWR in the amount of \$132.00 to cover the SRBA filing fees for the two beneficial use claims.. It is my understanding that it is IDWR's intent to recommend these water rights as claimed, and that this procedure will protect my client's right to object to the proposed disallowals of water right nos. 78-2018A and 78-2018B.

Please contact me with any questions or concerns.

Sincerely,



Charles L. Honsinger

enclosures

cc: Ed Squires
Client

JAN 08 2007

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JAN 02 2007
DEPARTMENT OF
WATER RESOURCES

**IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM**

CIVIL CASE NUMBER: 39576
 Indent. Number 78-00143B
 Date Received 01-02-07
 Receipt Number C082934

Please type or print clearly

- SCANNED
JAN 08 2007

6. Water is claimed for the following purposes:

For Irrigation purposes from 7/2 to 11/1 (both dates are inclusive) amount .33 (cfs) or (acre feet)

For purposes from to amount or

For purposes from to amount or

For purposes from to amount or

7. Total quantity claimed (a) .33 (cfs) and/or (b) (acre feet)

8. Total consumptive use claimed is N/A acre fee per annum.

9. Non-Irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater Type and number of livestock Ect.)

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

Twp.	Rgo.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
19N	1E	2												1			8		9
19N	1E	11	16	10	2	13									10	8	1	3	63

Total number of acres irrigated 72

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

12. Do you own the property listed above as place of use? Yes X No

13. Describe any other water rights used a the same place and for the same purposes as described above.
78-00142B, 78-00144B, 78-02018B, 78-0723B or None ()

14. Remarks:

Place of use claimed pursuant to I.C. § 42-1425

Last Name McNeal Family Partnership Ident. Number 78-00143B

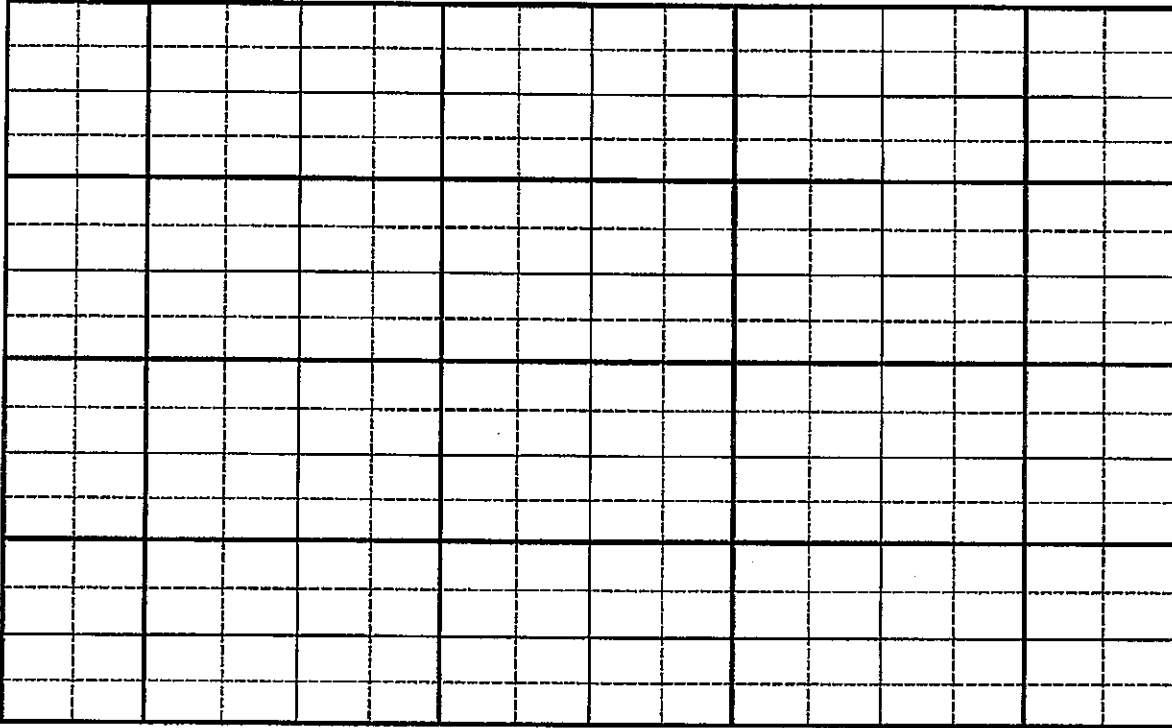
SCANNED

JAN 08 2007

Form No. 42-1409 (2) a 9/88 (Internet)

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

SCALE: 2 inches equal 1 mile. Draw plan in ink.



Last Name McNeal Family Partnership Ident. Number 78-00143B

SCANNED

IAN 08 2007

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

If applicable provide IDWR Water Right Number _____
Court Adams County District Case Number _____ Decree Date 1/9/1931
Plaintiff vs Defendant Meyer v. Campbell

16. Signature (s)
(a) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments _____

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

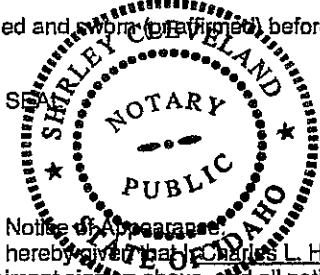
Signature or Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Vice President Title _____
of McNeal Corporation / General Partner McNeal Family Limited Partnership , that I have signed the foregoing
Organization _____
document in the space below as Vice President of McNeal Corp. / G.P. McNeal F.L.P.
Title _____ Organization _____
and that the statements contained in the foregoing document are true and correct.

Signed of Authorized Agent [Signature]
Title and Organization V.P. McNeal Corp. / G.P. McNeal F.L.P. Date _____

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

Subscribed and sworn to before me this 2nd day of January 2007



Notary Public Shirley Cleveland
Residing at Butte, Id
My Commission Expires 2/22/2012

16. Notice of Appearance
Notice is hereby given that Charles L. Honsinger will be acting as attorney at law on behalf of the claimant signing above and all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Charles L. Honsinger
Address P.O. Box 2773, Boise, Idaho 83701
Date 1/2/07

JAN 07 2007

Form No. 42-1409 (2) a 9/88 (Internet)

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576
 Indent. Number 78-00142B
 Date Received 01.02.07
 Receipt Number C682934

Please type or print clearly

- SCANNED

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

[illegible]

SCANNED
JAN 08 2007

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

If applicable provide IDWR Water Right Number 78-00142B
Court Adams County District Case Number _____ Decree Date 1/9/1931
Plaintiff vs Defendant Meyer v. Campbell

16. Signature (s)
(a) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments _____

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

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

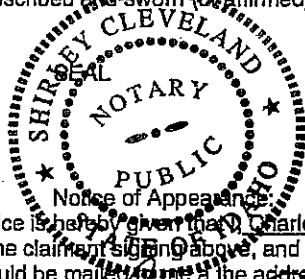
For Organizations: I do solemnly swear or affirm that I am _____ Vice President
Title
of McNeal Corporation/General Partner McNeal Family Limited Partnership, that I have signed the foregoing
Organization
document in the space below as Vice President of McNeal Corp / GP McNeal FLP
Title Organization
and that the statements contained in the foregoing document are true and correct

Signed of Authorized Agent [Signature]

Title and Organization Vice President McNeal Corp. / GP McNeal FLP Date _____

State of Idaho/or Idaho }
County of Ada } ss.

Subscribed and sworn to (or affirmed) before me this 2nd day of January 2007



Notary Public Shirley Cleveland

Residing at Boise, Id

My Commission Expires 02/22/2012

16. Notice of Appearance
Notice is hereby given that Charles L. Honsinger will be acting as attorney at law on behalf of the claimant signing above, and all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Charles L. Honsinger

Address P.O. Box 2773, Boise, Idaho 83701

Date 1/04/07

Last Name McNeal Family Partnership Ident. Number 78-00142B

SCANNED

JAN 08 2007

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576
Indent. Number 78-12309
Date Received 1-2-07
Receipt Number C082934

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant(s) McNeal Family Partnership Phone (307) 883-2272
Mailing Address P.O. 1070, Thayne, WY Zip 83127
2. Date of Priority only (1) per claim) January 10, 1931
3. Source of water supply (a) Little Salmon River
which is tributary to (b) Salmon River
4. a. Location of existing point of diversion is: Township 19N Range 1E Section 1,
1/4 of SE 1/4 SW 1/4, Govt. Lot, _____ B.M., County of Adams
Additional points of diversion if any: _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of
_____ 1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates,
Ect). Including the dates of any changes or enlargement in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Pump station on Little Salmon River diverts
water to ponds feeding pressurized irrigation system.

COANNED

IAN 08 2007

6. Water is claimed for the following purposes:

For Irrigation purposes from 3/1 (both dates are inclusive) to 7/1 amount .28 (cfs) or (acre feet)For Irrigation purposes from 7/2 to 11/1 amount .47 or For purposes from to amount or For purposes from to amount or 7. Total quantity claimed (a) .47 (cfs) and/or (b) (acre feet)8. Total consumptive use claimed is N/A acre fee per annum.9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater Type and number of livestock Ect.)

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
19N	1E	2												1			8		9
19N	1E	11	16	10	2	13									10	8	1	3	63

Total number of acres irrigated 7211. In which county (ies) are lands listed above as place of use located? Adams12. Do you own the property listed above as place of use? Yes X No 13. Describe any other water rights used at the same place and for the same purposes as described above.
78-00142B, 78-00143B, 78-00144B, 78-07238 or None ()

14. Remarks:

Place of use claimed pursuant to I.C. § 42-1425Last Name McNeal Family Partnership Ident. Number 78-

SCANNED

JAN 08 2007

SCALE: 2 inches equal 1 mile. Draw plan in ink.

A full-page sheet of white graph paper featuring a uniform grid of thin black horizontal and vertical lines. The grid covers the entire area of the page, creating a series of small squares suitable for drawing or technical work.

JAN 08 2007

Form No. 42-1409 (2) a 9/88 (Internet)

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

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

(a) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

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

Signature or Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____

_____ Title _____ of _____, that I have signed the foregoing

Organization _____ document in the space below as _____ of _____

and that the statements contained in the foregoing document are true and correct.

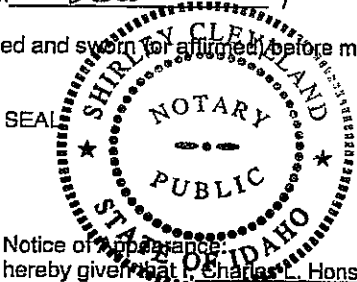
Signed of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Idaho)

County of Ada) SS.

Subscribed and sworn to (attested) before me this 2nd day of January 2007



Notary Public Shirley Cleveland

Residing at Boise, Id

My Commission Expires 2/22/2012

16. Notice of Appearance

Notice is hereby given that Charles L. Honsinger will be acting as attorney at law on behalf of the claimant signing above, and all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Charles L. Honsinger

Address P.O. Box 2773, Boise, Idaho 83701

Date 1/2/07

Last Name McNeal Family Partnership Ident. Number 78-

COANNED

JAN 08 2007

**RINGERT
CLARK**
CHARTERED
LAWYERS

November 30, 2006

Mr. Carter Fritschle
Adjudication Bureau
IDWR State Office
P.O. Box 83720
Boise, ID 83720-0098

RECEIVED

DEC 05 2006

DEPARTMENT OF
WATER RESOURCES

Laura E. Burri
Jeffrey R. Christenson
David P. Claiborne
D. Blair Clark
S. Bryce Farris
Jon C. Gould
David Hammerquist
Charles L. Honsinger
James P. Kaufman
Jennifer Reid Mahoney
James G. Reid
Daniel V. Steenson

William F. Ringert, of Counsel
Allyn L. Sweeney of Counsel
Samuel Kaufman (1921-1986)

Re: Notices of Error to SRBA Preliminary Recommendations for Water Right Nos.
78-142B, 78-142D, 78-143B, 78-143C, 78-144B, 78-2018A, 78-2018B, 78-4282,
78-7238

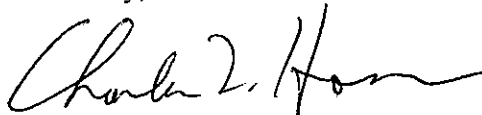
Dear Carter:

I enclose herewith the above-referenced Notices of Error on behalf of my client, McNeal Family Limited Partnership. The preliminary recommendations do not reflect the claims as thoroughly analyzed and discussed in the attachment to a recent transfer application filed by the McNeal Family Limited Partnership. I attach hereto both a copy of that application, and the analysis of the water rights leading up to the transfer application. We have previously discussed the transfer application with IDWR, and understood from our discussion that our analysis both made sense and was acceptable to the Department.

We believe a meeting to discuss these water rights prior to IDWR's issuance of recommendations for the same will be productive, will help all parties to understand the interconnection of this very complex situation, and will prevent potential large expenditures of time and resources should these water rights be recommended as is currently proposed. Please carefully review the enclosures, and then contact me so that we can arrange a meeting to discuss the same.

Thank you. I look forward to hearing from you.

Sincerely,



Charles L. Honsinger

enclosures

cc: Ed Squires
Client

RECEIVED

DEC 05 2006

DEPARTMENT OF
WATER RESOURCES

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 8, 2006.

Water Right Number: 78-142B

MC NEAL FAMILY PARTNERSHIP
P.O. BOX 1070
THAYNE, WY 83127
Telephone Number: (307)883-2272

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Period of Use, Priority date, Place of Use

2. Describe the changes you wish to make in the proposed recommendation:

Period of Use should be 3/1- 7/1

Priority date should be 5/15/1906

Place of Use should be as claimed

Irrigation Season starts on 4-1 must document historical use.
Claim amended to 6-15-1906 in 2005
changed to "as claimed"

3. Give a brief explanation as to why you disagree with these portions:

Priority date is decreed as 5/15/1906; Period of Use is decreed as claimed. Place of use is established under accomplished transfer statute - I.C. §42-1425. Discussion is necessary for explanation.

 I AGREE with this proposed recommendation; no changes need to be made.

DATE: 12/01/06

SIGNATURE: Charles L. Honsinger

Please print your name: Charles L. Honsinger

IDWR State Office, P.O. Box 83720, Boise, ID 83720-0098, (208)287-4800

SCANNED

DEC - 6 2006

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DEC 05 2006

DEPARTMENT OF
WATER RESOURCES

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 8, 2006.

Water Right Number: 78-142D

MC NEAL FAMILY PARTNERSHIP
P.O. BOX 1070
THAYNE, WY 83127
Telephone Number: (307)883-2272

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Right Number, Period of Use, Place of Use, Quantity

2. Describe the changes you wish to make in the proposed recommendation:

Right should be numbered as 78-142A

All elements should be as claimed pursuant to Claim No. 78-142A

3. Give a brief explanation as to why you disagree with these portions:

McNeal Family Partnership owns all portions of water right numbers 78-142A and 78-143A. Discussion is necessary for explanation.

M Resorts sold land in NWSW to Meadow Property owners Association in 1999 and did not include the water rights (10-19-1999) Page 6 of 6 of deed does not include NWSW of Section 12

 I AGREE with this proposed recommendation; no changes need to be made.

DATE: 12/01/06

SIGNATURE: Charles L. Honsinger

Please print your name: Charles L. Honsinger

IDWR State Office, P.O. Box 83720, Boise, ID 83720-0098, (208)287-4800

SCANNED

DEC - 6 2006

RECEIVED

DEC 05 2006

DEPARTMENT OF
WATER RESOURCES

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 8, 2006.

Water Right Number: 78-143B

MC NEAL FAMILY PARTNERSHIP
P.O. BOX 1070
THAYNE, WY 83127
Telephone Number: (307)883-2272

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Period of Use, Priority date, Place of Use

2. Describe the changes you wish to make in the proposed recommendation:

Period of Use should be 7/2 - 11/1
Priority date should be 5/15/1906
Place of Use should be as claimed

*irrigation season ends on 10-31.
priority date claimed is 6-15-1906
changed POU to as claimed.*

3. Give a brief explanation as to why you disagree with these portions:

Priority date is previously decreed as 5/15/1906; Period of Use is previously decreed as claimed. Place of use is established under accomplished transfer statute - I.C. §42-1425. Discussion is necessary for explanation.

 I AGREE with this proposed recommendation; no changes need to be made.

DATE: 12/01/06

SIGNATURE: *Charles L. Honsinger*

Please print your name: Charles L. Honsinger

IDWR State Office, P.O. Box 83720, Boise, ID 83720-0098, (208)287-4800

SCANNED

DEC - 6 2006

RECEIVED

DEC 05 2006

DEPARTMENT OF
WATER RESOURCES

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 8, 2006.

Water Right Number: 78-143C

MC NEAL FAMILY PARTNERSHIP
P.O. BOX 1070
THAYNE, WY 83127
Telephone Number: (307)883-2272

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Right Number, Period of Use, Place of Use, Quantity

2. Describe the changes you wish to make in the proposed recommendation:

Right should be numbered as 78-143A

*McNeal Family Partnership did not purchase
NEWS of 512.*

All elements should be as claimed pursuant to Claim No. 78-143A

3. Give a brief explanation as to why you disagree with these portions:

McNeal Family Partnership owns all portions of water right numbers 78-142A and 78-143A. Discussion is necessary for explanation.

_____ I AGREE with this proposed recommendation; no changes need to be made.

DATE: 12/01/06

SIGNATURE: Charles L. Honsinger

Please print your name: Charles L. Honsinger

IDWR State Office, P.O. Box 83720, Boise, ID 83720-0098, (208)287-4800

SCANNED

DEC 12 2006

RECEIVED

DEC 05 2006

DEPARTMENT OF
WATER RESOURCES

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 8, 2006.

Water Right Number: 78-144B

MC NEAL FAMILY PARTNERSHIP
P.O. BOX 1070
THAYNE, WY 83127
Telephone Number: (307)883-2272

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Period of Use, Place of Use

2. Describe the changes you wish to make in the proposed recommendation:

Period of Use should be 3/1- 7/1 and 7/2 - 11/1
Place of Use should be as claimed

*Irrigation season is 4-1 to 10-31
must supply evidence of historic use
before 4-1 or after 10-31
changed POU to as claimed.*

3. Give a brief explanation as to why you disagree with these portions:

Period of Use is previously decreed as claimed. Place of use is established under accomplished transfer statute - I.C. §42-1425. Discussion is necessary for explanation.

 I AGREE with this proposed recommendation; no changes need to be made.

DATE: 12/01/06

SIGNATURE: Charles L. Honsinger

Please print your name: Charles L. Honsinger

IDWR State Office, P.O. Box 83720, Boise, ID 83720-0098, (208)287-4800

SCANNED

C - 6 2006

RECEIVED

DEC 05 2006

DEPARTMENT OF
WATER RESOURCES

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 8, 2006.

Water Right Number: 78-2018A

MC NEAL FAMILY PARTNERSHIP
P.O. BOX 1070
THAYNE, WY 83127
Telephone Number: (307)883-2272

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Water Right Was Not recommended Meyer claimed 100" in Meyer v. Berry, which was the amount of license 78-2018.

2. Describe the changes you wish to make in the proposed recommendation:

All elements should be recommended as claimed

3. Give a brief explanation as to why you disagree with these portions:

Water right is necessary to provide full statutory per/acre diversion rate to places of use covered by water right nos. 78-00142A and 78-00143A. Discussion is necessary for explanation.

 I AGREE with this proposed recommendation; no changes need to be made.

DATE: 12/01/06

SIGNATURE: Charles L. Honsinger

Please print your name: Charles L. Honsinger

IDWR State Office, P.O. Box 83720, Boise, ID 83720-0098, (208)287-4800

SCANNED

C - 6 7006

RECEIVED

DEC 05 2006

DEPARTMENT OF
WATER RESOURCES

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 8, 2006.

Water Right Number: 78-2018B

MC NEAL FAMILY PARTNERSHIP
P.O. BOX 1070
THAYNE, WY 83127
Telephone Number: (307)883-2272

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Water Right Was Not recommended *see 78-2018A*

2. Describe the changes you wish to make in the proposed recommendation:

All elements should be recommended as claimed

3. Give a brief explanation as to why you disagree with these portions:

Water right is necessary to provide full statutory per/acre diversion rate to places of use covered by water right nos. 78-00142B and 78-00143B. Discussion is necessary for explanation.

 I AGREE with this proposed recommendation; no changes need to be made.

DATE: 12/01/06

SIGNATURE: *Charles L. Honsinger*

Please print your name: Charles L. Honsinger

IDWR State Office, P.O. Box 83720, Boise, ID 83720-0098, (208)287-4800

SCANNED

DEC - 6 2006

RECEIVED

DEC 05 2006

DEPARTMENT OF
WATER RESOURCES

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 8, 2006.

Water Right Number: 78-4282

MC NEAL FAMILY PARTNERSHIP
P.O. BOX 1070
THAYNE, WY 83127
Telephone Number: (307)883-2272

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Priority Date, Source, Place of Use *Tom Carr affidavit supports 1927. No information in the file to support an*

2. Describe the changes you wish to make in the proposed recommendation: *earlier date.*

Priority date should be 4/1/1906; Source should be Lewis Creek; Place of use should be as claimed

3. Give a brief explanation as to why you disagree with these portions: *Source is not named. Explanatory material identifies source as AKA Lewis Creek*

Water right has been beneficially used with elements as claimed. *Perhaps claimant can provide map showing area irrigated.*

 I AGREE with this proposed recommendation; no changes need to be made.

DATE: 12/01/06

SIGNATURE: Charles L. Honsinger

Please print your name: Charles L. Honsinger

Change of ownership to H Resorts may have been made in error. The Hilda Marrs parcel is now owned by Dennis Johnson.

IDWR State Office, P.O. Box 83720, Boise, ID 83720-0098, (208)287-4800

SCANNED

EC - 6 2006

RECEIVED

DEC 05 2006

DEPARTMENT OF
WATER RESOURCES

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 8, 2006.

Water Right Number: 78-7238

MC NEAL FAMILY PARTNERSHIP
P.O. BOX 1070
THAYNE, WY 83127
Telephone Number: (307)883-2272

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Place of Use *Changed to match license. 72 acres reduced to 40 acres*

2. Describe the changes you wish to make in the proposed recommendation:

Place of use should be as claimed *Claimed for 81 acres, licensed for 40 acres. PPOU recommended to match overlapping rights.*

3. Give a brief explanation as to why you disagree with these portions:

Water right was licensed in 1990 with place of use claimed. Discussion is necessary for explanation.

____ I AGREE with this proposed recommendation; no changes need to be made.

DATE: 12/01/06

SIGNATURE: *Charles L. Honsinger*

Please print your name: Charles L. Honsinger

IDWR State Office, P.O. Box 83720, Boise, ID 83720-0098, (208)287-4800

SCANNED

DEC - 6 2006

Hydro Logic, Inc

1002 W. Franklin Street, Boise, ID 83702 (208) 342-8369, (Fax) 342-3100, hydrologic@qwest.net

August 16, 2006

Mr. Steve Lester
Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

ATTACHMENT A

RECEIVED

DEC 9 5 2006

DEPARTMENT OF
WATER RESOURCES

RECEIVED

AUG 16 2006

WATER RESOURCES
WESTERN REGION

Re: Meadow Creek Golf Course Water Rights Transfer, Adams County, Idaho - Basin # 78.

Dear Mr. Lester:

Under cover of this letter, please find an application for transfer of water rights that we file on behalf of the McNeal Family Partnership (MFP). This letter explains the proposed transfer in detail and includes a summary of Hydro Logic, Inc.'s analysis of the water rights that will be subject to the transfer. All of the rights involved are surface water rights diverted from the Little Salmon River and used for irrigation purposes. This letter is Attachment A to the transfer application. This transfer application incorporates your suggestions from previous conversations.

MFP obtained ownership of water rights appurtenant to property that was subject to a real estate sale in October of 1999 pursuant to a Transfer of Water Rights Agreement dated October 15, 1999. (Attachment B). It is these water rights to which this transfer application is directed.

Summary

The purposes of this transfer are as follows:

- 1) Change the place of use of 1.00 cfs of water to MFP's Meadow Creek Golf Course.
- 2) Change the points of diversion for all water rights subject to the transfer.
- 3) To document accomplished transfers of water rights pursuant to I.C. § 42-1425.

The Transfer Application consists of the following documents:

- 1) A signed, completed Application for Transfer of Water Rights.
- 2) IDWR profile reports for water rights 78-00142A, 78-00143A and 78-02018A.
- 3) A copy of a Transfer of Water Rights Agreement dated 10-15-99 (Attachment B).
- 4) A map detailing the place of use changes proposed by the transfer (Plate 1).
- 5) A map showing locations of points of diversion covered by the transfer (Figure 1).
- 6) A 1987 NAPP color aerial photograph of the subject properties (Figure 2).
- 7) A 1992 USDA black & white aerial photograph of the subject properties (Figure 3).
- 8) A 1998 USDA black & white aerial photograph of the subject properties (Figure 4).
- 9) Warranty Deed establishing ownership of the proposed place of use (Attachment C).
- 10) Copies of water right licenses 78-2018, 78-2019, and 78-2029 (Attachment D).
- 11) A copy of the 1931 Meyer-Berry-Campbell water rights decree (Attachment E).
- 12) IDWR's 1987 beneficial use field examination of Permit 78-07238 (Attachment F).
- 13) A check in the amount of \$250.00 to cover the transfer processing fee.
- 14) Powers of Attorney establishing Carey McNeal's ability to file this transfer application on behalf of the McNeal Family Limited Partnership.
- 15) This cover letter (Attachment A).

Water Rights History and Analysis

1. Early Permit Applications and Licenses

In 1919 and 1920, Gustav Meyer, Hugh McElroy (J.G. Berry's predecessor in interest), and Charles Campbell all filed permit applications requesting irrigation water rights from the Little Salmon River to cover properties that are in the area of what is now Meadow Creek Golf Course. Meyer was granted license 78-02018 with a priority of October 27, 1919 for 2.0 cfs covering 100 acres in the SW ¼ of Section 12, T19N, R1E. Berry was granted license 78-02019 with a priority of April 16, 1919 for 2.1 cfs covering 105 acres in the NW ¼ of Section 12, T19N, R1E. Campbell was granted license 78-02029 with a priority of June 15, 1920 for 6.0 cfs covering 300 acres in Sections 1 & 2, T19N, R1E and Section 35, T20N, R1E. Campbell's property was generally to the north of property owned by Meyer and Berry. (Please see copies of the water right licenses – Attachment D).

The elements of the water rights as licensed are summarized below:

<u>Water Right Number</u>	<u>Owner</u>	<u>Rate (cfs)</u>	<u>Priority</u>	<u>Acreage</u>	<u>Place of Use</u>
2018	Meyer	2.0	10/27/1919	100	Sec. 12, SW ¼
2019	Berry	2.1	04/16/1919	105	Sec. 12, NW ¼
2029	Campbell	6.0	06/15/1920	300	Generally N. of Meyer/Berry

2. Meyer v. Berry Decree

In 1931, the Adams County District Court issued a decree adjudicating the water rights owned by Gustav Meyer, and Circle C Ranch (the successor in interest to the Campbell property) that were diverted from the Little Salmon River, and adjudicated the water rights owned by Berry and diverted from the Little Salmon River vis-à-vis the other decreed rights. Meyer was decreed water right numbers 78-00142 and 78-00143 with a priority of June 15, 1906, Circle C was decreed water right number 78-00144 with a priority of June 15, 1920. (Please see copy of decree – Attachment E.)

The rights decreed to Meyer covered the same lands as his licensed water right (No. 78-02018), with the exception that the decree references entire ¼ ¼ sections rather than the 20 acres in the NE¼ SW¼ covered by the license. These decreed rights were split over the irrigation season with two different diversion rates. Water right 78-00142 granted the right to divert 1.555 cfs during the first half of the season and 78-00143 granted the right to divert 0.975 cfs during the second half. (Note that the decreed diversion rates are less than IDWR's "standard" 0.02 cfs/acre).

Although Meyer's decreed rights (78-00142 and 78-00143) superseded license number 78-02018 to some extent, we believe that as a result of the differences in the diversion rate and place of use between the licensed and decreed rights, a portion of license number 78-02018 remained a valid water right; at least to the extent that it made up the 0.02 cfs/acre standard diversion rate.

A summary of the elements of the relevant water rights after the decree is as follows:

<u>Water Right Number</u>	<u>Holder</u>	<u>Rate cfs.</u>	<u>Priority</u>	<u>Acreage</u>	<u>Place of Use</u>
142/143	Meyer	1.555/0.975	06/15/1906	120	Sec. 12, SW ¼
00144	Campbell	6.0	06/15/1920	300	N. of Meyer/Berry
02018	Meyer	0.7/1.2	10/27/1919	100	Sec. 12, SW ¼

The quantity of water right number 78-2018 (above) is 0.7 cfs until July 1 of each year and 1.2 cfs after July 1 of each year. These diversion rates are based upon the fact that the diversion rate decreed pursuant to water right numbers 78-00142 and 78-000143 are respectively 0.013 cfs/acre (1.555 cfs/120 acres), and 0.008 cfs/acre (.975 cfs/120 acres). Because water right number 78-02018 was licensed at a diversion rate of 0.2 cfs/acre, it is assumed that, for the 100 acres licensed under that water right, the license holder was entitled to divert the amount of water necessary to bring the per acre rate of flow up to 0.02 cfs/acre.

3. Golf Course Development - Transfers and New Permit Application

During 1982 and 1983, Simpco Lands, the owner at that time of what is now Meadow Creek Golf Course, transferred water rights and filed a new permit application to cover water diverted for golf course irrigation purposes.

Transfer #2767

Under Transfer # 2767, Simpco transferred 0.52 cfs of water right numbers 78-00142 and 78-00143 to cover 40 acres in T19N, R1E, Section 2 SWSE for golf course irrigation. This transfer split both water rights into A and B portions (the B portions were transferred to the golf course). We should continue to address and be concerned with both portions of both water rights, as MFP now owns not only the golf course property, but also water right numbers 78-00142A and 78-00143A. These water rights were assigned to MFP from lands sold to the Meadow Creek Property Owner's Association (Attachment B).

Transfer # 2841

Pursuant to its second Transfer, # 2841, SimpcO transferred 0.64 cfs of water right number 78-00144 to cover 32 acres in T19N, R1E, Sec. 11, NWNE for golf course irrigation purposes. The 32 acres were purchased from the Campbell Dorsey Ranch for the express purpose of obtaining the water rights for the golf course (recall that 78-00144 was decreed to Circle C Ranch in the 1931 adjudication). The purchase and subsequent transfer split water right 78-00144 into A and B portions. The portion of the water right addressed by the rest of this memorandum, and with which we should be concerned is 78-00144B, as Campbell still owns the A portion of this right.

Transfer # 3183

Transfer #3183, approved in 1985, merely added the present "River Pump" as a point of diversion for water right numbers 78-00142B, 78-00143B, and 78-00144B. It had no effect upon the place of use of any of those water rights.

Permit Application and License #78-07238

In 1983, SimpcO also filed permit application number 78-07238 for 0.80 cfs of additional water from other surface water sources to cover 40 acres of golf course lands. Water right number 78-07238 was eventually licensed to BA Properties (SimpcO's successor in interest) with a March 3, 1983 priority, and covered 40 acres of irrigated golf course lands with 0.80 cfs.

IDWR's August 1987 beneficial use exam, conducted pursuant to the permit and license, found that approximately 16 acres of the irrigated golf course lands were not covered by water rights. The beneficial use exam also found that, of the 72 acres identified in Transfers numbers 2767 and 2841, only 19 irrigated acres were located on lands identified by the transfer documents. Apparently, these transfers were incorrectly filed in that they did not reference the golf course lands that were actually irrigated by the decreed rights. We believe that pursuant to I.C. § 42-1425, the "accomplished transfer" statute, the 72 acres of decreed water rights transferred by Transfers #2767 and #2841 cover 72 of the 79 irrigated acres found during IDWR's 1987 beneficial use field examination. Five acres (of the 79 acres) were covered by ground water right no. 78-07177. Therefore, only two of the irrigated acres found during the 1987 beneficial use field exam, are covered exclusively by licensed right 78-07238. The remaining 38 acres licensed under water right 78-07238 continued to be appurtenant to the licensed lands, but may have been "stacked" on top of the decreed rights referenced above.

Effect of Transfers and Licensing on Water Right Number 78-02018

Recall our conclusion that water right number 78-02018 exists to the extent necessary to have brought the diversion rate on the 100 acres covered by that water right to a total of 0.02 cfs/acre when combined with water right numbers 78-00142 and 78-00143. In other words, once the decreed water rights became appurtenant to the same lands covered by water right number 78-02018, the rights were "stacked." It is our understanding that IDWR's policy is that water rights, once stacked, cannot be unstacked.

Transfer number 2767 (which moved the "B" portions of water right numbers 78-00142 and 78-00143 to the golf course) was not directed at water right number 78-02018. However, we believe that a portion of water right number 78-02018 was transferred to the golf course pursuant to I.C. § 42-1425, the "accomplished transfer" statute. Although the diversion rates for water right numbers 78-00142B and 78-00143B are less than 0.02 cfs/acre, the standard per acre diversion rate on the lands to which those water rights were transferred is 0.02 cfs/acre. Therefore, we believe that water right number 78-02018 was transferred pursuant to I.C. § 42-1425 with water right numbers 78-00142B and 78-00143B, and has made up the shortfall in the 0.02 cfs/acre standard occasioned by the deficient diversion rates of the decreed water rights. Similarly, because Transfer number 3183 added a point of diversion for water rights numbers 78-142B and 78-143B, water right number 78-2018 has the same point of diversion pursuant to I.C. § 42-1425. (For consistency we refer to the transferred portion of water right number 78-02018 as the "B" portion, and the part that remains with water right numbers 78-00142A and 78-00143B as the "A" portion).

4. Water Rights in W ½ of Section 12

Water right numbers 78-00142A and 78-00143A

Water right numbers 78-00142A and 78-00143A are owned by the MFP pursuant to an agreement with the adjoining Meadow Creek Property Owner's Association (Attachment B). These water rights are currently appurtenant to cropped lands in Section 12, N½ of SW¼, which MFP has recently sold to the homeowners association (Figures 3 & 4). MFP has retained the water rights from the property sale for transfer to its own lands. This Transfer Application seeks to move those water rights to the west side of Hot Springs Road (Sections 2 & 11) for irrigation use on lands contiguous to the golf course grounds that were irrigated at the time of the 1987 beneficial use exam (Plate 1). Additionally, MFP seeks to change the point of diversion for these water rights to be diverted through the existing "River Pump" to those lands (Figure 1).

Proposed Transfer

At the time of IDWR's August 1987 beneficial use exam for Permit number 78-07238, only 79 acres of the originally proposed 115-acre golf course were under irrigation. The MFP desires to move 50 additional acres of water rights, retained from a property sale on the east side of Hot Springs Road (Section 12), to lands on, and adjacent to the Meadow Creek Resort grounds. This transfer of water rights would cover the widening of the narrow fairways, irrigation of a driving range, and the development of additional acreage not previously irrigated. A total of 124 acres will be irrigated after approval of the transfer. Additionally, the MFP would like to reconcile the place of use discrepancies exposed by IDWR's 1987 beneficial use exam for Permit number 78-07238 by invoking the accomplished transfer statute (I.C. § 42-1425). With this transfer, MFP complies with IDWR's recommended course of action on the beneficial use exam. Please refer to the 1987 beneficial use field examination for Permit number 78-07238 (Attachment F).

The current configuration of the water rights, which will be addressed by IDWR in its analysis of this proposed transfer, is as follows:

Golf Course Water Rights (Current)

<u>Water Right</u>	<u>Rate(cfs)</u>	<u>Priority</u>	<u>Acreage</u>	<u>Place of Use</u>
07238	0.80	03/25/1983	40	See attached map
142B/143B	0.52/0.33	06/15/1906	40	See attached map
02018B	0.28/0.47	10/27/1919	40	Same as 142B /143B
00144B	0.64/0.40	06/15/1920	32	See attached map

Needs to file a claim for flood water.

Configuration of Existing Water Rights on East Side of Hot Springs Road Prior to this Transfer

<u>Water Right</u>	<u>Rate (cfs)</u>	<u>Priority</u>	<u>Acreage</u>	<u>Place of Use</u>
142A/143A	1.04/0.65	06/15/1906	52	S. 12, N $\frac{1}{2}$ SW $\frac{1}{4}$
02018A	0.42/0.72	10/27/1919	60	S. 12, NWSW, W $\frac{1}{2}$ NESW

see 78-12158

Meadow creek Property owner Associa

The quantity diverted under water right number 78-02018A is that required to bring the per acre diversion rate for the 60 acres that are covered by water right numbers 78-02018A, and 78-00142A and 78-00143A to 0.02 cfs. If the proposed transfer is approved, the configuration of the involved water rights will be as follows:

Golf Course Water Rights (Proposed)

<u>Water Right</u>	<u>Rate (cfs)</u>	<u>Priority</u>	<u>Acreage</u>	<u>Place of Use</u>
07238	0.80	03/25/1983	40	See Appendix F
142A/143A	1.00/0.625	06/15/1906	50	See attached map
02018A	0.375*	10/27/1919	50	See attached map
142B/143B	0.52/0.33	06/15/1906	40	See attached map
02018B	0.28/0.47	10/27/1919	40	Same as 142B /143B
00144B	0.64/0.40	06/15/1920	32	See attached map

* Water right no. 2018 is necessary during the second half of the irrigation season to make up the quantity needed to cover 50 acres in combination with water right no. 143A.

Water Rights To Remain On the East Side of Hot Springs Road

(We assume that the portions of water right numbers 78-00142A, 78-00143A, and 78-02018A that are not transferred will be assigned the "C" suffix.)

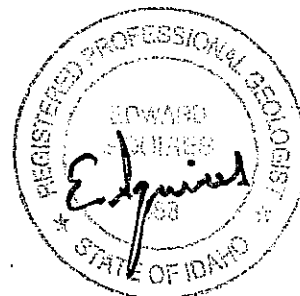
<u>Water Right Number</u>	<u>Rate (cfs)</u>	<u>Priority</u>	<u>Acreage</u>	<u>Place of Use</u>
142C/143C	0.04/0.025	06/15/06	2	S. 12, NE SW
2018 C	.015*	10/27/19	2	S. 12, NE SW

*The quantity diverted under water right number 78-02018A is that required to bring the per acre diversion rate for the irrigated acres that are covered by both water right numbers 78-02018A, and 78-00142A and 78-00143A to 0.02 cfs.

It is our intent to provide all the information necessary for you to analyze this transfer. We hope that this explanation assists your analysis. We are presently in the process of preparing corresponding claims for the approaching Snake River Basin Adjudication. Please do not hesitate to call if you have any questions regarding this matter, or if you need additional information.

Sincerely,

Ed Squires
Hydro Logic, Inc.



cc: Carey McNeal, Buffington Mohr and McNeal
Charlie Honsinger, Ringert Clark Chartered

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1** Please direct all inquiries concerning transfer to E. M. ... 369*Transfer No. _____
RECEIVED
DEC 05 2006
DEPARTMENT OF
WATER RESOURCESName of applicant McNeal Family Limited Partnership Phone (307) 883-2272
Post Office address P.O. Box 3010, Alpine, Wyoming, 83128**A. PURPOSE OF TRANSFER**

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe reason for the proposed changes: 1) To change the place of use of portions of water rights #78-00142A, #78-00143A, and #78-02018A. 2) To change the point of diversion for water rights #78-00142A, #78-00143A, and #78-02018A. 3) To document accomplished transfers pursuant to I.C. § 42-1425.

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

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use	
78-00142A	06-15-1906	1.00 cfs	Irrigation	04-01	to 07-01
78-00143A	06-15-1906	0.625 cfs	Irrigation	07-02	to 10-31
78-02018A	10-27-1919	0.375 cfs *	Irrigation	07-02	to 10-31
				To	

* refer to attached cover letter describing accomplished transfer

2. Total amount of water being transferred 1.00 cubic feet per second and /or _____ acre-feet per annum.
3. Source of water Little Salmon River tributary to Salmon River
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SW	1	19 N	1 E	Adams	River Pump Station

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
19 N	1 E	11	7	4	2	15									6	7		4	45
19 N	1 E	2															5		5

Total Acres 50

Part 1

6. General information:

- a. Description of diversion system _____ A pumping station is located on the Little Salmon River which diverts water to a large storage pond adjacent to the River. A second pumping station pumps the water from this pond to the highest elevation of the golf course where it enters and flows through a series of small ponds which feed the pressurized sprinkler system pumps.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust mortgages or contracts? _____ Yes XX No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
The lands will no longer be irrigated pursuant to the rights sought to be transferred.

- d. Remarks
The Applicant has sold the lands to which these water rights are appurtenant but has retained ownership of the water rights to be transferred. See Attachment B: Transfer of Water Right Agreement.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 20____.

SCANNED

DEC - 6 2006

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

RECEIVED

DEC 05 2006

DEPARTMENT OF
WATER RESOURCES

* Please see attached profile reports and attached letter.

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 78-142A Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- a. License No. _____ issued by the Idaho Department of Water Resources.
- b. Claim No. _____ on file with the Idaho Department of Water Resources.
- c. Transfer No. _____ which produced this right.

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

☐ Tax Notice

☒ Warranty Deed

☐ Other _____

3. Source of water _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purpose:

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

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

7. Point(s) of diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

9. Describe any other water rights used for the same purpose as described above

78-143A, 78-2018A

SCANNED

DEC - 6 2006

PART 2

Transfer No. _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse?
 No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount (cfs/ac-ft) 1.00 cfs for Irrigation purposes from 04-01 to 07-01
 amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____

2. Point(s) of diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	23	19 N	01 E	Adams	West Side Ditch Diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
19 N	01 E	12									15	35							50

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)Total acres 50

1. amount (cfs/ac-ft) 0.04 cfs for Irrigation purposes from 03-01 to 07-01
 amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____

2. Point(s) of diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	23	19 N	1 E	Adams	West Side Ditch Diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
19 N	01 E	12									25	5							30

SCANNED

EC - 6 2006 Total acres 2

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

02/27/2001

WATER RIGHT NO. 78-142A

Owner Type Name and Address
Current Owner GUSTAV MEYER

Priority Date: 05/15/1906
Basis: Decreed
Status: Active

Source
LITTLE SALMON RIVER

Tributary to
SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	/	/	1.04 CFS		
Total Diversion			1.04 CFS		

Location of Point(s) of Diversion:

Place(s) of use:

Place of Use Legal Description: IRRIGATION

ADAMS County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
19N	01E	12		NENW NESW			NWNW NWSW			SWNW SWSW			SEnw SESW	

Dates:

Licensed Date:
Decreed Date: 01/09/1931
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Application Received Date:
Protest Deadline Date:
Number of Protests: 0

Other Information:

Receipt Number(s):
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Water Right 78-142A

SCANNED

-C - 6 2006

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

RECEIVED

DEC 6 2006

DEPARTMENT OF
WATER RESOURCES

* Please see attached profile reports and attached letter.

D. DESCRIPTION OF RIGHT AS RECORDED

11. Right evidenced by:

- b. Decree No. 78-143A Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- d. License No. _____ issued by the Idaho Department of Water Resources.
- e. Claim No. _____ on file with the Idaho Department of Water Resources.
- f. Transfer No. _____ which produced this right.

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

☐ Tax Notice

☒ Warranty Deed

☐ Other _____

13. Source of water _____ tributary to _____

14. Date or priority _____

15. Water is used for the following purpose:

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

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

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

16. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

17. Point(s) of diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

18. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

19. Describe any other water rights used for the same purpose as described above

78-142A, 78-2018A

SCANNED

DEC - 6 2006

PART 2

20. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse?
 No _____ If yes, describe _____

E. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount (cfs/ac-ft) 0.625 cfs for Irrigation purposes from 07-02 to 10-31
 amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____

4. Point(s) of diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	23	19 N	01 E	Adams	West Side Ditch Diversion

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
19 N	01 E	12									15	35							50

Total acres 50**F. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount (cfs/ac-ft) 0.025 cfs for Irrigation purposes from 07-02 to 12-01
 amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount (cfs/ac-ft) _____ for _____

4. Point(s) of diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	23	19 N	1 E	Adams	West Side Ditch Diversion

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
19 N	01 E	12									25	5							30

Total acres 2

SCANNED

DEC - 6 2006

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

02/27/2001

WATER RIGHT NO. 78-143A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GUSTAV MEYER

Priority Date:	05/15/1906
Basis:	Decreed
Status:	Active

<u>Source</u>	<u>Tributary to</u>
LITTLE SALMON RIVER	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	/	/	0.645 CFS		
Total Diversion			0.645 CFS		

Location of Point(s) of Diversion:

Place(s) of use:

Place of Use Legal Description: IRRIGATION

ADAMS County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
19N	01E	12		NENW			NWNW			SWNW			SESW	
				NESW			NWSW			SWSW			SESW	

Dates:

Licensed Date:
 Decreed Date: 01/09/1931
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Application Received Date:
 Protest Deadline Date:
 Number of Protests: 0

Other Information:

Receipt Number(s):
 State or Federal:
 Owner Name Connector:
 Water District Number:
 Generic Max Rate per Acre:
 Generic Max Volume per Acre:
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Cary Act Number:
 Mitigation Plan: False

Water Right 78-143A

1

SCANNED

DEC - 6 2006

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

* Please see attached profile reports and attached letter.

RECEIVED
DEC 05 2006
DEPARTMENT OF
WATER RESOURCES

G. DESCRIPTION OF RIGHT AS RECORDED

21. Right evidenced by:

- c. Decree No. 78-2018A Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- g. License No. _____ issued by the Idaho Department of Water Resources.
- h. Claim No. _____ on file with the Idaho Department of Water Resources.
- i. Transfer No. _____ which produced this right.

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

☐ Tax Notice

☒ Warranty Deed

☐ Other _____

23. Source of water _____ tributary to _____

24. Date or priority _____

25. Water is used for the following purpose:

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

26. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

27. Point(s) of diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

28. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

29. Describe any other water rights used for the same purpose as described above

78-142A, 78-143A

SCANNED

DEC - 6 2006

PART 2

30. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse?
No If yes, describe _____

H. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount (cfs/ac-ft) 0.375 cfs For Irrigation purposes from 07-02 to 12-01
 amount (cfs/ac-ft) _____ For _____ purposes from _____ to _____
 amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount (cfs/ac-ft) _____

6. Point(s) of diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	23	19 N	01 E	Adams	West Side Ditch Diversion

7. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
19 N	01 E	12									15	35							50

Total acres 50

I. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change) Balance of Right Unchanged

1. amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount (cfs/ac-ft) _____ for _____

6. Point(s) of diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

7. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

SCANNED

DEC - 6 2006

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

02/27/2001

WATER RIGHT NO. 78-2018

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GUSTAV E MEYER NEW MEADOWS, ID

Priority Date:	10/27/1919
Basis:	License
Status:	Active

<u>Source</u>	<u>Tributary to</u>
LITTLE SALMON RIVER	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	/	/	2 CFS		
DOMESTIC	/	/			

Total Diversion	2 CFS
-----------------	-------

Location of Point(s) of Diversion:

LITTLE SALMON RIVER	NENE	Sec. 23	Township 19N	Range 01E	ADAMS County
---------------------	------	---------	--------------	-----------	--------------

IRRIGATION Use:
Acre Limit: 100

Place(s) of use:

Place of Use Legal Description: IRRIGATION	ADAMS County
--	--------------

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
19N	01E	12		NESW	20		NWSW	40		SWSW	40			

Place of Use Legal Description: DOMESTIC same as IRRIGATION

Total Acres: 100

Dates:

Licensed Date: 10/10/1979
 Decreed Date:
 Permit Proof Due Date:
 Permit Proof Made Date:
 Permit Approved Date:
 Permit Moratorium Expiration Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Application Received Date:
 Protest Deadline Date:
 Number of Protests: 0

Other Information:

Water Right 78-2018

SCANNED
DEC - 6 2006

PART 3

B. CHANGES IN NATURE OF USE

* No changes in nature of use are sought.

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

2. Quantity and quality of return flows of discharge:

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

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

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

Subscribed and sworn to before me this

day of

(Signature of Applicant)

20 06

(Notary Public)

My commission expires

5/7/10

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. Check by _____ Fee _____

Receipted by _____ Date _____

Published in _____ Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

SCANNED

DEC - 6 2006

a
RECEIVED

MAY 14 2007

DEPARTMENT OF
WATER RESOURCES
Jeffrey R. Christensen
David P. Claiborne
D. Blair Clark
S. Bryce Farris
Jon C. Gould
David Hammerquist
Charles L. Honsinger
James P. Kaufman
Jennifer Reid Mahoney
James G. Reid
Daniel V. Steenson

William F. Ringert, of Counsel
Allyn L. Sweeney of Counsel
Samuel Kaufman (1921-1986)

May 3, 2007

Idaho Dept. of Water Resources
Western Regional Offices
2735 Airport Way
Boise, ID 83705-5082

*Records modified,
NCAAP prepared.
5-16-07*

Re: McNeal Family Limited Partnership Change of Address

Dear Sir or Madam:

RECEIVED

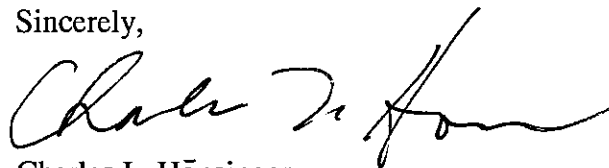
MAY 15 2007

DEPARTMENT OF
WATER RESOURCES

This law firm represents the McNeal Family Limited Partnership with respect to its water right matters in IDWR Administrative Basin No. 78. Please change the address of record for the McNeal Family Limited Partnership to P.O. Box 2016, Boise, Idaho 83701. This change will affect all water rights held by the McNeal Family Limited Partnership, and for which the point of diversion and place of use are in IDWR Administrative Basin No. 78.

Please contact me should this correspondence raise any questions or concerns. Thank you.

Sincerely,



Charles L. Honsinger

enclosures

cc: Carey McNeal

78-142 B, D
78-143 B, C
78-144 B
78-2018 A, B
78-2029 A
78-4282
78-7238
78-12158
78-12309

RECEIVED

MAY 07 2007

WATER RESOURCES
WESTERN REGION

SCANNED

MAY 16 2007

ORIGINAL

TRANSFER OF WATER RIGHTS AGREEMENT

THIS TRANSFER OF WATER RIGHTS AGREEMENT ("Agreement"), dated this 12 day of October, 1999, is made by the McNeal Family Limited Partnership, a Wyoming limited partnership, or assigns, (hereinafter the "Transferee") for the transfer of surface water rights appurtenant to certain real property from MeadowCreek Property Owners Association, Inc., an Idaho not for profit corporation ("Transferor") on the following terms and conditions.

RECITALS

A. Transferor is the present owner of the surface water rights (the "Water Rights") appurtenant to the parcels of real property, (the "Property") as more particularly described in Exhibit A, attached hereto and incorporated herein by this reference.

B. Transferee desires all of Transferor's right, title and interest in and to the Water Rights.

C. Transferor desires to transfer all of Transferor's right, title and interest in and to the Water Rights to Transferee.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. Recitals True. The recitals of fact set forth herein are agreed to be true and are incorporated into this Agreement.

2. Conveyance of the Water Rights. For and in consideration of the transfer of the Property from M Resorts, Ltd., a California limited partnership, to Transferor, Transferor shall convey, transfer and assign the Water Rights to Transferee effective immediately following the recording of the transfer of the Property from M Resorts, Ltd., to the Transferor.

3. Execution of Transfer Documents. Both parties shall execute any, every and all documents necessary to validly effectuate the transfer of the Water Rights from Transferor to Transferee.

4. Reconveyance of Rights. Upon the determination by Transferee's Hydrologist/Water Engineer, and subject to the laws of the State of Idaho and the administrative rulings of the Idaho

12-15-1999 2:09PM

FROM MCANANEY AND ASSOC 208 342 8691

P.3

Department of Water Resources, that sufficient water rights are available to the Transferee for the irrigation of the land as set forth in Exhibit B, attached hereto and incorporated herein by this reference, the Transferee shall, upon Transferor's request, reconvey, transfer and assign the Water Rights back to Transferor.

5. Representations and Warranties. Transferor represents and warrants to Transferee that Transferor has the right to transfer the Water Rights to Transferee.

6. Binding Effect. This Agreement constitutes the entire agreement among the parties with respect to the subject matter hereof and supersedes all other prior agreements and understandings, both written and oral, among the parties with respect to the subject matter hereof.

7. Attorney's Fees. In event either party shall commence an action to enforce any provision of this Agreement, the prevailing party in such action shall be entitled to receive from the other party, in addition to damages, equitable or other relief, all costs and expenses incurred, including reasonable attorney's fees and the fees and costs of expert witnesses.

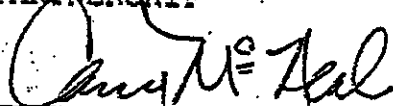
8. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Idaho.

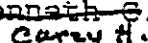
9. Time is of the Essence. Time is of the essence in this Agreement and each and every provision hereof in which time of performance is a factor.

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement as of the date first above written.

"TRANSFEEEE"

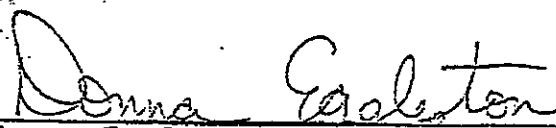
MCNEAL FAMILY LIMITED
PARTNERSHIP

By: 

McNeal Family Corporation, its
General Partner, by Kenneth G.
McNeal, its President 

"TRANSFEROR"

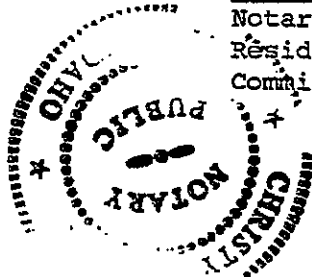
MEADOWCREEK PROPERTY OWNERS
ASSOCIATION, INC.

By: 

Donna Eggleston, President

STATE OF Idaho)
COUNTY OF Adams) ss

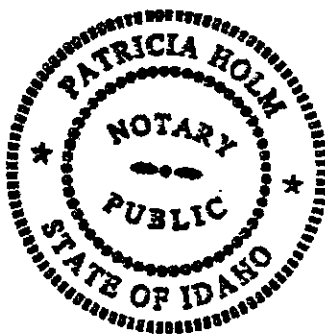
On this 20th day of October, 1999, before me a Notary Public in and for said State, personally appeared CAREY H. McNEAL known or identified to me to be the Vice President of the corporation which is a general partner of the partnership of McNEAL FAMILY LIMITED PARTNERSHIP, and subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.



Notary Public
Residing At: Trutvale, Idaho
Commission Expires: 8/4/04

STATE OF IDAHO)
County of Adams) ss.

On this 15 day of October, in the year of 1999, before me, personally appeared Donna Eggleston, known or identified to me to be the person whose name is subscribed to the within instrument as the President of Meadowcreek Property Owners Association, Inc., and acknowledged to me that she executed the same.



Patricia Holm
Notary Public for Idaho
Residing at: Law Meadows
My commission expires: 10-23-03

10-15-1999 2:11PM

FROM MCANANEY AND ASSOC 208 342 8691

P.5

EXHIBIT A**LEGAL DESCRIPTION REAL PROPERTY**

That certain real property located in Adams County, Idaho, more particularly described as follows:

Parcels S, T, U and V of MeadowRidge Estates, also known as Kimberland Meadows Sub. No.3, Amended, as set forth on the official plat recorded in Book 2 Plats page 8, records of Adams County Idaho.

MEADOWCREEK WELL PARCEL**NW 1/4 NW 1/4 Sec. 12, T.19N. R.1E****Adams County, Idaho**

A parcel of land situate in the NW 1/4 of the NW 1/4 of Section 12, T. 19 N., R. 1 E., B.M., Adams County, Idaho, more particularly described as follows:

Commencing at a brass cap marking the corner common to Sections 1, 2, 11 and 12, T. 19 N., R. 1 E., B.M., Adams County, Idaho; thence, S. 00° 27' 20" E., 1072.39 feet along the line common to said Sections 11 and 12; thence, S. 89° 13' 01" E., 96.19 feet to a 1/2" x 24" rebar, the REAL POINT OF BEGINNING:

Thence, continuing S. 89° 13' 01" E., 147.58 feet to a 1/2" x 24" rebar,

Thence, S. 00° 46' 59" W., 147.58 feet to a 1/2" x 24" rebar,

Thence, N. 89° 13' 01" W., 147.58 feet to a 1/2" x 24" rebar,

Thence, N. 00° 46' 59" E., 147.58 feet to the Point of Beginning, containing 0.500 acres, more or less.

Bearings based on the plat of Meadowcreek Estates.

10-15-1999 2:11PM

FROM MCANANEY AND ASSOC 208 342 8691

THOMAS W. KERR
PLS 998

KERR SURVEYING
PO BOX 353-404 E. PARK
McCALL, IDAHO 83638
208-634-2636 / FAX 208-634-4042
October 6, 1999

JOEL W. DROULARD
PLS 3357

MEADOWCREEK MAINTENANCE PARCEL
NE4 NE4 Sec. 11, T19N, R1E
Adams County, Idaho

A parcel of land situate in the NE¼ of the NE¼ of Section 11, T. 19 N., R. 1 E., B.M., being a portion of Parcel L, Meadowridge Estates, as shown on the official plat thereof recorded as Instrument Number 83905 in the office of the Recorder of Adams County, Idaho, more particularly described as follows:

Commencing at a brass cap marking the corner common to Sections 1, 2, 11 and 12, T. 19 N., R. 1 E., B.M., Adams County, Idaho; thence, S. 00° 27' 20" E., 530.30 feet along the line common to said Sections 11 and 12; thence, S. 39° 53' 05" W., 123.19 feet to the west right-of-way of Hot Springs Road; thence, 97.43 feet along a non-tangent curve to the left whose long chord bears S. 05° 23' 04" E., 97.35 feet, whose radius is 530.00 feet and delta angle is 10° 32' 19" along said right-of-way; thence, 93.82 feet along a non-tangent curve to the right whose long chord bears S. 04° 56' 07" E., 93.66 feet, whose radius is 470.00 feet and delta angle is 11° 26' 13" along said right-of-way; thence, S. 00° 46' 59" W., 264.39 feet along said right-of-way to a ½" rebar marking the south east corner of Parcel M, said Meadowridge Estates, the REAL POINT OF BEGINNING:

Thence, continuing S. 00° 46' 59" W., 80.00 feet to a ½" x 24" rebar,

Thence, West, 80.69 feet to a ½" x 24" rebar,

Thence, N. 08° 14' 12" E., 80.82 feet to a ½" x 24" rebar at the south west corner of said Parcel M,

Thence, East, 70.20 feet to the Point of Beginning, containing 0.158 acres, more or less.

Bearings based on the plat of Meadowridge Estates.

EXHIBIT B

LEGAL DESCRIPTION LAND

ORDER NO. 100-99-429

TRACT 4

Parcel B, Block 13, Lot 2 Block 10, Lots 1 and 3, Block 19, Lot 13, Block 14 of MeadowCreek Subdivision No. 2 formerly known as Kimberland Meadows Subdivision No. 2 as per name change recorded as Inst. No. 84350 and as set forth on the plat of said Subdivision on file and of record in the Adams County Recorders office Book 2 of Plat at page 2.

TRACT 5 (Riverside Park)

Township 19 North, Range 1 East, Boise Meridian, Adams County, Idaho
Section 1: A parcel of land more particularly described as follows:
Commencing at the section corner common to Sections 1, 2, 11 and 12, said Township and Range, a brass cap monument;

Thence North $88^{\circ} 47' 46''$ East on the Section line common to said Sections 1 and 12, 2233.99 feet to a point;

Thence North $01^{\circ} 12' 14''$ West 80 feet to a point on the North right-of-way of Forty-Fifth Parallel Drive, as said Forty-Fifth Parallel Drive is shown on the official plat of Kimberland Meadows Subdivision as recorded in Book 1 Plats page 43, in the Adams County Recorder's Office, said point being the REAL POINT OF BEGINNING;

Thence South $88^{\circ} 47' 46''$ West 1037.14 feet on the North right-of-way of the said Forty-Fifth Parallel Drive to a point on the said right-of-way;

Thence North $01^{\circ} 12' 14''$ West 840 feet to a point;

Thence North $88^{\circ} 47' 46''$ East 1037.14 feet to a point;

Thence South $01^{\circ} 12' 14''$ East 840 feet to the REAL POINT OF BEGINNING.

TRACT 6

Building 2 Tamarack, Dwelling Unit 103, of the MeadowCreek Lodging Suites, Amended Plat of Kimberland Meadows Condominiums, Inc., Phase 1 appearing in the records of Adams County, Idaho, in Book 2 Plats page 12, and as defined for MeadowRidge Estates, aka Kimberland Meadows Subdivision No. 3 Amended, recorded as Instr. No. 83905, and First Amended Plat recorded January 10, 1995 in Book 2 Plats page 15 as Instr. No. 87255.

CONTINUED

10-15-1999 2:13PM

FROM MCANANEY AND ASSOC 208 342 8691

P.8

PARCEL 1

Parcels A, B, C, D, E, F-2, G, H, J, K, L, P, Q, R, W, X, Y, and Z, Lot 3, Block 30; Lot 17, Block 26 of Meadowridge Estates, also known as Kimberland Meadows Subdivision No. 3, Amended, as set forth on the official plat recorded in Book 2 Plats page 8, records of Adams County, Idaho. Parcel V of Block 22 of Meadowcreek Subdivision No. 3 as set forth on the official Plat in Book 1 of Plats, Page 51, records of Adams County, Idaho

TRACT 2

The right-of-way of Forty-Fifth Parallel Drive, as said Forty-Fifth Parallel Drive is shown on the official plat of Kimberland Meadows Subdivision as recorded in Book 1 Plats page 48, records of Adams County, Idaho.

TRACT 3 (MAYES SOUTH PARCEL)

Township 19 North, Range 1 East, Boise Meridian, Adams County, Idaho
A portion of the NW1/4 of Section 12 and the NE1/4 of Section 11 more particularly described as follows:

Commencing at the NW corner of Section 12, T19N12E34, a brass cap;
Thence North 88°47'46" East 2750.00 feet along the Northerly boundary of said Section 12 to a 5/8" rebar on the Westerly right-of-way line of State Highway 95;

Thence 125.84 feet along a non-tangent curve to the right whose long chord bears South 00°35'22" West 125.84 feet, radius is 11409.16 feet and delta angle is 00°37'55" along said right-of-way to a 5/8" rebar;
Thence South 00°54'19" West 1408.19 feet along said right-of-way to a concrete right-of-way monument, Station 111+00;

Thence South 00°53'39" West 221.77 feet along said right-of-way to a 1/2" rebar, the REAL POINT OF BEGINNING;

Thence continuing South 00°53'39" West 836.40 feet along said right-of-way to its intersection with the Southerly boundary of said NW1/4 of Section 12 to a 1/2" rebar;

Thence South 88°52'50" West 2583.06 feet to the West 1/4 corner of said Section 12, a 5/8" rebar;

Thence South 88°44'01" West 51.63 feet to a 5/8" rebar on the Easterly right-of-way of a County Road as shown on the official plat of Kimberland Meadows Subdivision No. 3 filed in Book 1 Plats page 51, records of Adams County, Idaho;

Thence along said County Road right-of-way:

27.05 feet along a non-tangent curve to the left whose long chord bears North 00°38'57" West 27.06 feet, radius is 4030.00 feet and delta angle is 00°23'04" to a 5/8" rebar;

Thence North 00°50'29" West 858.95 feet to a 1/2" rebar;

ORDER NO. 100-99-429

TRACT 7 (Equestrian Center)

A parcel of land located in Section 2, Township 19 North, Range 1 East, Boise Meridian, Adams County, Idaho more particularly described as follows:

Commencing at the 4 corner common to Section 35, Township 20 North, Range 1 East, Boise Meridian and Section 2, Township 19 North, Range 1 East, Boise Meridian, a brass cap monument;

Thence North 89° 17' 47" East 1316.01 on the Section line to the East 1/16 corner common to said Sections 35 and 2, a 5/8" steel pin with an aluminum cap, and being the REAL POINT OF BEGINNING;

Thence South 01° 20' 53" West 1349.54 feet to a point, said point being the Northeast 1/16 corner of said Section 2, a 5/8" steel pin with an aluminum cap;

Thence South 01° 20' 53" West 401.53 feet to a point, said point being the Northwest corner of Lot 1, Block 8 of Meadowcreek Subdivision as shown on the official plat thereof on file in the Adams County Recorder's Office in Book 1 Plats page 48, a 1/2" steel pin;

Thence North 89° 59' 47" West 43.97 feet to a point 30 feet East of the approximate centerline of Hot Springs Road;

Thence along and 30 feet East of said approximate center line of Hot Springs Road the following courses and distances:

North 07° 41' 34" West 213.34 feet to a point; thence

North 07° 43' 22" West 526.94 feet to a point; thence

North 11° 09' 47" West 643.46 feet to a point; thence

North 10° 52' 33" West 341.18 feet to a point; thence

North 04° 04' 56" East 244.76 feet to a point on the Section line

Common to said Sections 35 and 2; thence

North 89° 17' 47" East 361.06 feet on said Section line to the REAL POINT OF BEGINNING.

TRACT 8 (North Parcel)

Township 19 North, Range 1 East, Boise Meridian, Adams County, Idaho
Sections 11 and 12: A parcel of land being a portion of the NW1/4 of Section 12 and the NE1/4 of Section 11 more particularly described as follows:

Commencing at the Northwest corner of said Section 12, a brass cap, the REAL POINT OF BEGINNING;

Thence North 88° 47' 46" East 2750.00 feet along the Northerly boundary of said Section 12 to the Westerly right-of-way line of State Highway 95 to a 5/8" rebar;

Thence 123.24 feet along a non-tangent curve to the right whose long chord bears South 00° 35' 22" West 125.84 feet, radius is 11409.16 feet and delta angle is 00° 37' 53" along said right-of-way to a 5/8" rebar;

Thence South 00° 54' 19" West 749.66 feet along said right-of-way to a 1/2" rebar;

Thence South 88° 51' 00" West 2750.63 feet to a 1/2" rebar on the Easterly right-of-way of a County Road as shown on the official plat of Meadowcreek Subdivision No. 2 formerly known as Kimberland Meadows No. 2 as per amended name change recorded July 13, 1993 as Instr. No. 84350 (Parcel A), and Meadowcreek Subdivision No. 3, formerly known as Kimberland Meadows Subdivision No. 3, as per amended name change recorded July 13, 1993 as Instr. No. 84350, and Meadowridge Estates aka Kimberland Meadows Subdivision No. 3, Amended;

Thence along said County Road right-of-way North 00° 48' 59" East 161.83 feet to a 5/8" rebar;

Thence 105.75 feet along a curve to the left whose radius is 330.00 feet and delta angle is 11° 26' 13" to a 5/8" rebar;

Thence 86.45 feet along a curve to the right whose radius is 470.00 feet and delta angle is 10° 32' 19" to a 5/8" rebar;

Thence 188.38 feet along a curve to the right whose radius is 2970.00 feet and delta angle is 03° 35' 44" to a 5/8" rebar;

Thence North 03° 28' 45" East 343.97 feet to a 5/8" rebar;

Thence North 88° 34' 44" East 22.59 feet to the REAL POINT OF BEGINNING.

CONTINUED

12-15-1999 2:17PM

FROM MCANANEY AND ASSOC 208 342 8691

P.2

ORDER NO. 100-99-429

TRACT 9 (Middle Parcel)

Township 19 North, Range 1 East, Boise Meridian, Adams County, Idaho

Sections 11 and 12: A parcel of land being a portion of the NE1/4 of Section 12 and the NE1/4 of Section 11 more particularly described as follows:

Commencing at the Northwest corner of said Section 12, a brass cap;

Thence North 88° 47' 46" East 2750.00 feet along the Northerly boundary of said Section 12 to a 5/8" rebar on the Western right-of-way line of State Highway 95;

Thence 125.84 feet along a non-tangent curve to the right whose long chord bears South 00° 35' 22" West 125.84 feet, radius is 11409.16 feet and delta angle is 00° 37' 55" along said right-of-way to a 5/8" rebar;

Thence South 00° 34' 19" West 743.66 feet along said right-of-way to a 1/2" rebar, the REAL POINT OF BEGINNING;

Thence continuing South 00° 34' 19" West 658.53 feet to a concrete right-of-way monument, Station 111+00;

Thence South 00° 33' 39" West 221.77 feet along said right-of-way to a 1/2" rebar;

Thence South 83° 52' 30" West 2766.48 feet to a 1/2" rebar on the Eastern right-of-way of a County Road as shown on the official plat of MeadowCreek Subdivision No. 3, formerly known as Kimberland Meadows Subdivision No. 3, as per amended map change recorded July 13, 1993 as Instr. No. 84350 and MeadowRidge Estates aka Kimberland Meadows Subdivision No. 3 Amended;

Thence along said county Road right-of-way North 00° 30' 29" West 413.21 feet to a 5/8" rebar;

Thence 27.50 feet along a curve to the right whose radius is 970.00 feet and delta angle is 01° 37' 28" to a 5/8" rebar;

Thence North 00° 46' 59" East 432.30 feet;

Thence North 88° 51' 00" East 2750.63 feet to the REAL POINT OF BEGINNING.

TRACT 10

Township 19 North, Range 1 East, Boise Meridian, Adams County, Idaho

Section 12: NE1/2SW1/4 excepting therefrom the SE1/2SE1/2SW1/4SW1/4

12/28/2006

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

RIGHT NUMBER: 78-142B

NAME AND ADDRESS: MC NEAL FAMILY PARTNERSHIP
PO BOX 1070
THAYNE WY 83127

SOURCE: LITTLE SALMON RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 0.520 CFS

PRIORITY DATE: 06/15/1906

POINT OF DIVERSION:

T19N R01E S1 SESW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 07/01	0.520 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T19N R01E S02	SESW	1.00	T19N R01E S02	SWSE	8.00
T19N R01E S11	NENE	16.00	T19N R01E S11	NWNE	10.00
T19N R01E S11	SWNE	2.00	T19N R01E S11	SENE	13.00
T19N R01E S11	NESE	10.00	T19N R01E S11	NWSE	8.00
T19N R01E S11	SWSE	1.00	T19N R01E S11	SESE	3.00

72 ACRES TOTAL

Right Nos. 78-142B and 78-143B are limited to the irrigation of 34 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 72 acres in a single irrigation season.

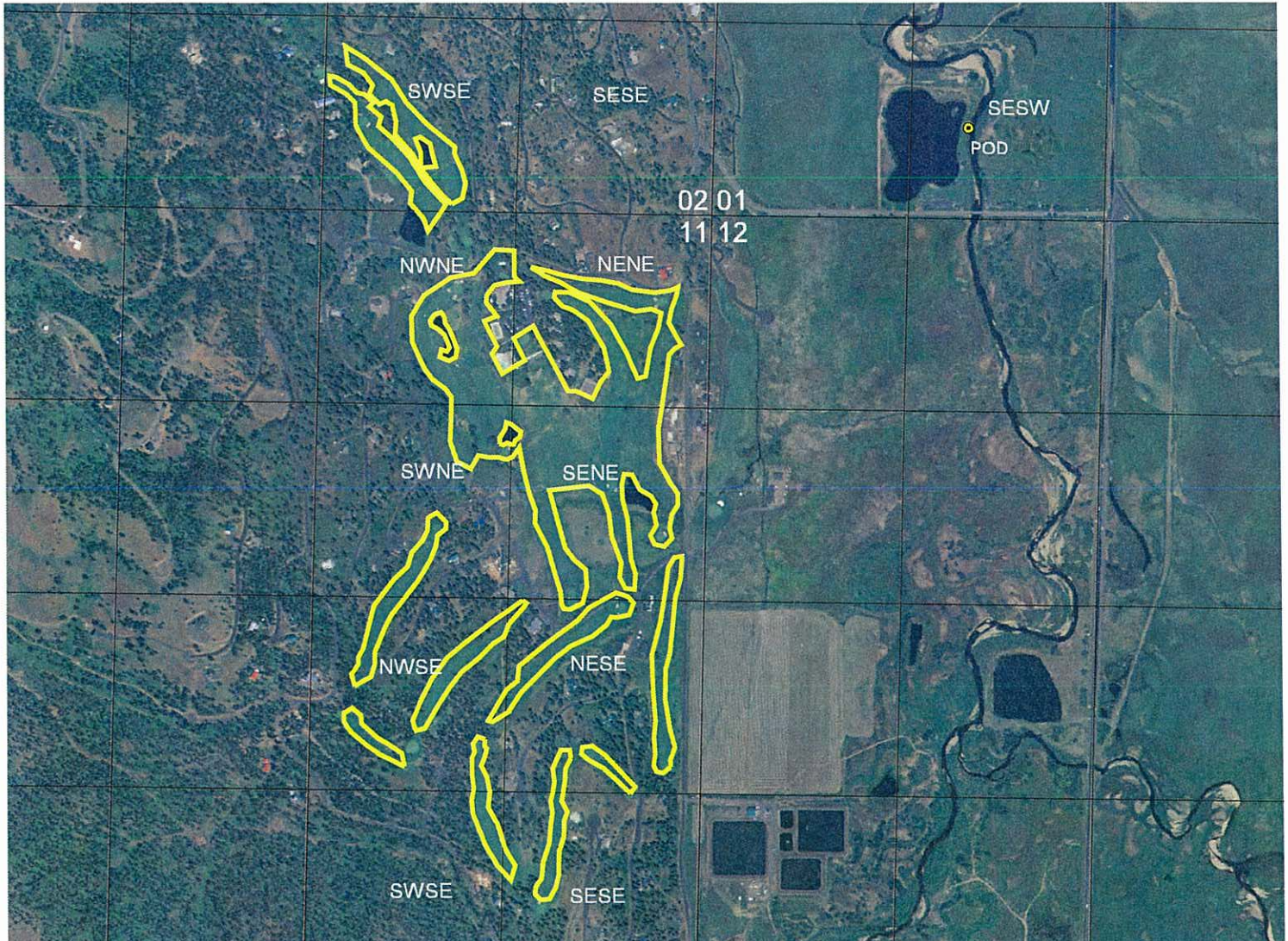
Combined Right Nos.: 78-142B, 78-143B, 78-144B and 78-7238

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

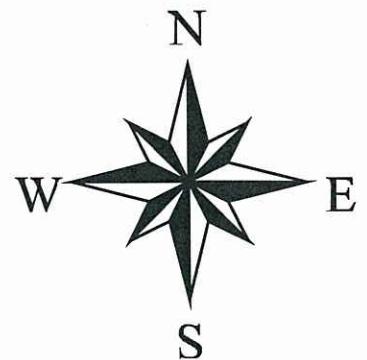
78-142B 78-143B & 78-144B



2000 0 2000 4000 Feet

T19N R01E S02 & S11

Map prepared by: Carter Fritschle
Date prepared: 11/15/05
2004 NAIP Photography
Idaho Department of Water Resources



11/16/2005

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

RIGHT NUMBER: 78-142B

NAME AND ADDRESS: MC NEAL FAMILY PARTNERSHIP
PO BOX 1070
THYANE WY 83127

SOURCE: LITTLE SALMON RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 0.520 CFS

PRIORITY DATE: 06/15/1906

POINT OF DIVERSION:

T19N R01E S1 SESW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 07/01	0.520 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T19N R01E S02	SWSE	8.0	T19N R01E S11	NENE	12.0
T19N R01E S11	NWNE	11.0	T19N R01E S11	SWNE	5.0
T19N R01E S11	SENE	19.0	T19N R01E S11	NESE	7.4
T19N R01E S11	NWSE	6.4	T19N R01E S11	SWSE	1.3
T19N R01E S11	SESE	1.9			

72 ACRES TOTAL

Right Nos. 78-142B and 78-143B are limited to the irrigation of 34 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 72 acres in a single irrigation season.

Combined Right Nos.: 78-142B, 78-143B, 78-144B and 78-7238

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM -- Decreed

Carter,

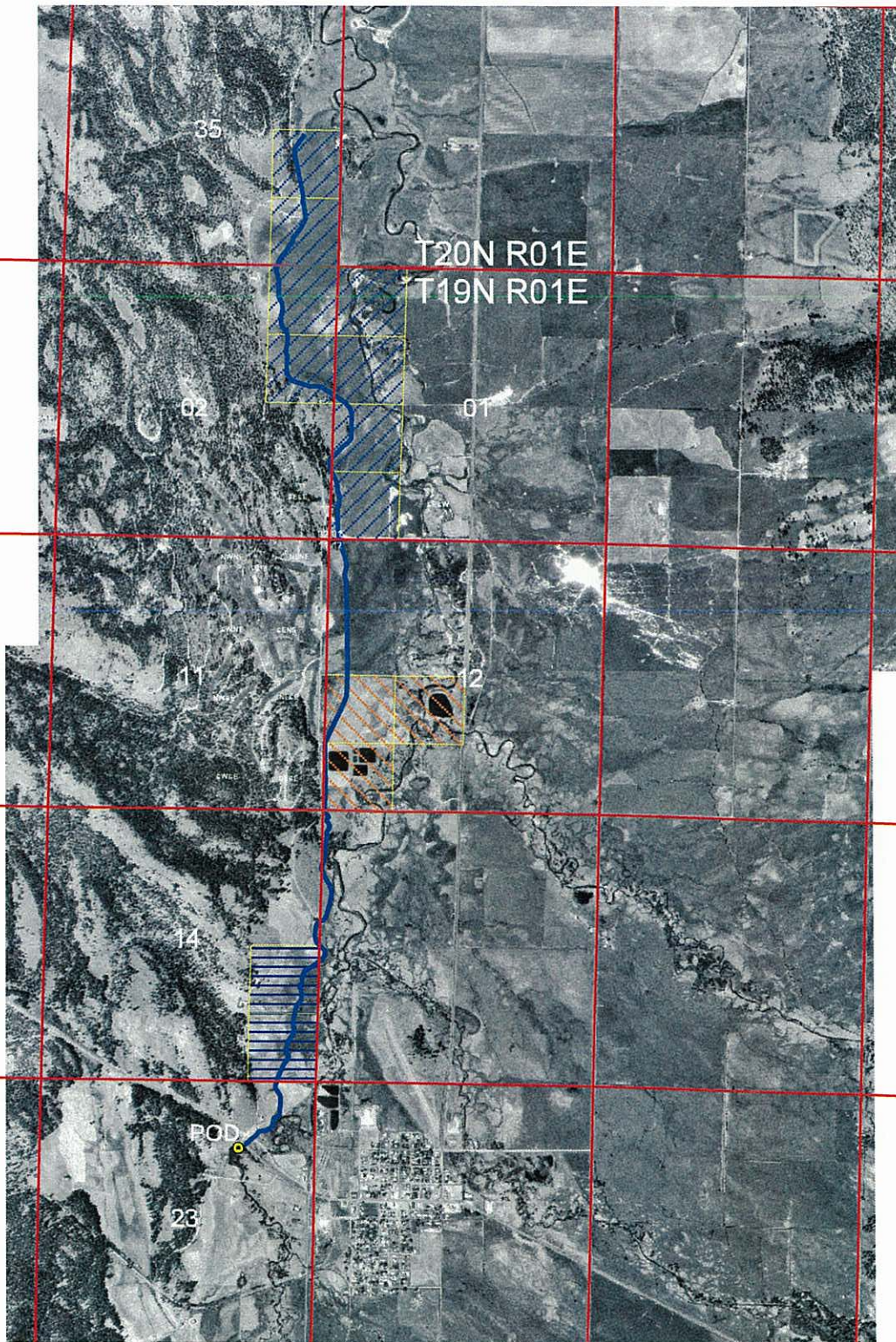
On our way home yesterday, Cindy and I took the GPS reading you requested. The pump we found is not at the bridge but down river on the north end of the area indicated on the map (N 45° 00' 26.8", W 116° 17' 6.8").

The GPS coordinates shown above places the POD near the middle of the pond. Modifying the coordinates as shown below places the POD on the West Bank of the Little Salmon River near the expected location.

N 45° 00' 28.6 "
W 116° 17' 02.8 "

CA

Meyer v. Berry et. al.



0.9 0 0.9 1.8 2.7 Miles

-  West Side Ditch
-  West Side Ditch POD
-  Circle C Ranch
-  Meyer
-  Carr



State of Idaho License and Certificate of Water Right

Water License No. 13954
 Water District No. 75 A

Amount 2 sec. ft.
 Priority Oct. 27, 1919.

THIS IS TO CERTIFY that GUSTAV E. MEYER,
 of New Meadows, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated March 31, 19 19; that Permit No. 13954
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2.8
 second feet, was issued thereunder on July 29, 19 19, showing that said works
 were completed on the 17th day of July, 19 19; and that on the 7th
 day of May, 19 20,

GUSTAV E. MEYER,

of New Meadows, State of Idaho, made proof to the satisfaction of the
 Commissioner of Reclamation ~~State Engineer~~ of Idaho, of a right to the use of the waters of Little Salmon River,
 a tributary of Big Salmon River, for the purpose of irrigation & domestic use,
 under Use Permit No. 13954 of the ~~State Engineer~~ Commissioner of Reclamation, and that said right to the use of said
 waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the ~~State~~
 Commissioner of Reclamation ~~Engineer~~ of Idaho and entered of record in Volume 5 of Licenses, at page 2646, on the 15th
 day of September, 19 20;

The right hereby confirmed dates from October 27, 19 19;

The Point of Diversion is located
 in the NE 1/4 NE 1/4, Sec. 23, Tp. 19 N., R. 1 E., B.M.
County of Adams.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
 aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not
 exceed 2 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
19 N	1 E	12	NE 1/4 SW 1/4	25	20
			NW 1/4 SW 1/4	40	40
			SW 1/4 SW 1/4	40	40
			SE 1/4 SW 1/4	35	—
					106

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

WITNESS the seal and signature of the Commissioner of Reclamation
State Engineer affixed at Boise, Idaho, this 15th
 day of September, 19 15.

W. G. SVENDSEN
 Commissioner of Reclamation ~~State Engineer~~

By S. T. BAER,
 Deputy.

(SEAL)

New Meadows, Idaho,

Aug. 10. 1926.

Commissioner of Irrigation,

Dear Sir. Please let

me know if I could
have my rights dated
back to the time when

I actually used the water,

I believe I can get within

that helped me do work

on the ditch. I filed on

this ranch in 1909, and

started to work on the ditch

that summer. Since then I

have always had water on

the ranch. Yours Truly

Geo. E. Meyer

13954 New Meadows, Idaho.

Water License No. 13954

District " 75 A

Feb. 19-27-19

Ac. 5579 ad.

Ac. 6717 ad.

13954

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 78-142B
Date Received: 4/26/1988
Receipt No: W000136
Received By:

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

1. Name of Claimant(s)

MC NEAL FAMILY PARTNERSHIP Phone: (307) 883-2272
PO BOX 1070
THYANE WY 83127

2. Date of Priority: 06/15/1906

3. Source: LITTLE SALMON RIVER Trib. to: SALMON RIVER

4. Point of Diversion:

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

5. Description of diverting works:

Pump station on Little Salmon River diverts water to ponds which feeds
pressurized sprinkler system.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/01	07/01	0.52	

7. Total Quantity Appropriated is:
0.52 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
19N	01E	2	SE SW	IRRIGATION	1
			SW SE	IRRIGATION	8

					Section Acres	9
19N	01E	11	NE	SE	IRRIGATION	10
			NW	SE	IRRIGATION	8
			SW	SE	IRRIGATION	1
			SE	SE	IRRIGATION	3
			NE	NE	IRRIGATION	16
			NW	NE	IRRIGATION	10
			SW	NE	IRRIGATION	2
			SE	NE	IRRIGATION	13
					Section Acres	63
					Total Acres	72

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

Place of use claimed pursuant to Section 42-1425, Idaho Code.

15. Basis of Claim: Decreed

**DEPARTMENT OF
WATER RESOURCES**

**IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM**

CIVIL CASE NUMBER: 39576
 Indent. Number 78-00142B
 Date Received
 Receipt Number

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

1. Name of Claimant(s) McNeal Family Partnership Phone (307) 883-2272
Mailing Address P.O. 1070 Thyane, WY Zip 83127

2. Date of Priority only (1) per claim) June 15, 1906

3. Source of water supply (a) Little Salmon River
which is tributary to (b) Salmon River

4. a. Location of existing point of diversion is: Township 19N Range 1E Section 1,
SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot, _____ B.M., County of Adams
Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of
_____ $\frac{1}{4}$, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates,
Ect). Including the dates of any changes or enlargement in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Pump station on Little Salmon River diverts
water to ponds which feeds pressurized sprinkler system.

SEP 06 2005

Form No. 42-1409 (2) a 9/88 (Internet)

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

If applicable provide IDWR Water Right Number 78-00142B
Court Adams County District Case Number _____ Decree Date 1/9/1931
Plaintiff vs Defendant Meyer v. Campbell

16. Signature (s)
(a) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments _____

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

Signature or Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am VICE PRESIDENT Title
of MCNEAL CORPORATION / GENERAL PARTNER MCNEAL FAMILY, LIMITED PARTNERSHIP that I have signed the foregoing
Organization document in the space below as VICE PRESIDENT of MCNEAL CORP / GP MCNEAL FLP
Title organization

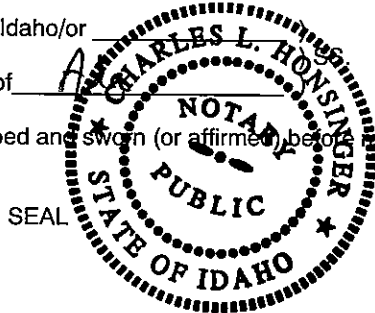
and that the statements contained in the foregoing document are true and correct.

Signed of Authorized Agent [Signature]
Title and Organization VICE PRESIDENT / MCNEAL CORP / GP Date 09-02-05
MCNEAL FLP

State of Idaho/or

County of ADAMS

Subscribed and sworn (or affirmed) before me this 2ND day of September 20 05



Notary Public Charles L. Honsinger

Residing at Boise, ID

My Commission Expires 7/30/2010

16. Notice of Appearance:
Notice is hereby given that I, Charles L. Honsinger will be acting as attorney at law on behalf of the claimant signing above, and all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Charles L. Honsinger

Address P.O. Box 2773, Boise, Idaho 83701

Date 07/14/05

Last Name McNeal Family Partnership Ident. Number 78-00142B

SCANNED

SEP 06 2005



RECEIVED

SEP 02 2005
DEPARTMENT OF
WATER RESOURCES

September 2, 2005

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

Laura E. Burri
Jeffrey R. Christenson
David P. Claiborne
D. Blair Clark
S. Bryce Farris
David Hammerquist
Charles L. Honsinger
James P. Kaufman
Jennifer Reid Mahoney
James G. Reid
Daniel V. Steenson
Alynn L. Sweeney

William F. Ringert, of Counsel
Samuel Kaufman (1921-1986)

Re: McNeal Family Limited Partnership SRBA Claims and Notice of Change of
Ownership of Water Rights

Dear Sir and/or Madam:

Enclosed please find Amended SRBA Claims and a Notice of Change of Ownership that
I submit on behalf of my client the McNeal Family Limited Partnership.

Please contact me with any questions or concerns. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles L. Honsinger".

Charles L. Honsinger

Enclosures

cc: Carey McNeal
Ed Squires

SCANNED

SEP 06 2005

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A78-00142B
Date Received: 4/26/1988
Receipt No: W000136
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BANK AMERICA PROPERTIES #1 208-347-2162
Address: P.O. DRAWER C
NEW MEADOWS, ID 83654-0000
2. Date of Priority: MAY 15, 1906
3. Source: LITTLE SALMON RIVER Trib. to: SALMON RIVER
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 19N | 01E | 1 | SW | SE | SW | | ADAMS |
5. Description of diverting works:
PUMP & PIPELINE TO STORAGE POND, 19.6 AF. PUMPED FOR IRRIGATION.
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|-------------------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/01 | 07/01 | 0.520 | | |
| IRRIGATION | 07/02 | 12/01 | 0.330 | | |
| IRRIGATION STORAGE | 01/01 | 12/31 | | | 20.00 |
| IRRIGATION FROM STORAGE | 05/01 | 11/01 | | | 20.00 |
7. Total Quantity Appropriated is:
0.850 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 156.0 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
19N	01E	1	SE	SW		IRR	2.0
						Section Acres	2.0
		2	SE	SW		IRR	1.0
			SW	SE		IRR	8.0
						Section Acres	9.0
		11	NE	NE		IRR	20.0
			NW	NE		IRR	11.0
			SW	NE		IRR	4.0
			SE	NE		IRR	13.0
			NE	SE		IRR	10.0
			NW	SE		IRR	8.0
			SW	SE		IRR	1.0
			SE	SE		IRR	3.0
						Section Acres	70.0
						Total Acres	81.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

RIGHT NO.'S 78-0143B, 78-0144B, 78-2018, & 78-7238.

14. Remarks:

THIS RIGHT AND WATER RIGHT NO. 78-0143B ARE BOTH BEING CLAIMED ON THIS ADJUDICATION CLAIM SINCE THEY HAVE THE SAME PRIORITY DATE, AND ARE BOTH USED IN THE SAME WATER SYSTEM. RIGHT NO. 78-0142B IS FOR .52 CFS AND 78-0143B FOR .33 CFS. THESE WATERS JOIN WITH WATERS IN RIGHT NO.'S 78-0144B, 78-2018 AND 78-7238 AND THEN FLOW THROUGH A PRESSURE SPRINKLER SYSTEM TO LANDS SHOWN AS IRRIGATED.

15. Basis of Claim: DECREED

Case Number:

Court : 7TH

Decree date: 1/09/1931

GUSTAV E. MEYER

Decree Plaintiff

vs

J. G. BERRY ET. AL.

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER:

Ident. Number

A78-00142B/00143B

Date Received

3/23/1988 4-26-88

Receipt Number

W000136

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) BANK AMERICA PROPERTIES #1 Phone (208) 347-2162Mailing Address P.O. DRAWER C NEW MEADOWS, IDAHO Zip 836542. Date of Priority (Only one (1) per claim) MAY 15, 19063. Source of water supply (a) LITTLE SALMON RIVERwhich is tributary to (b) SALMON RIVER4. a. Location of existing point of diversion is: Township 19N Range 01E Section 1,
SW 1/4 of SE 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of ADAMS

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.PUMP & PIPELINE TO STORAGE POND, 19.6 AF. PUMPED FOR IRRIGATION.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 03/01 to 07/01 amount 0.520 or _____
 For IRRIGATION purposes from 07/02 to 12/01 amount 0.330 or _____
 For IRRIGATION STORAGE purposes from 01/01 to 12/31 amount _____ or 20.00
 For IRRIGATION FROM STORAGE purposes from 05/01 to 11/01 amount _____ or 20.00

7. Total quantity claimed (a) 0.850 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 156.0 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) NONE

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
19N	01E	1											2						2
19N	01E	2											1				8		9
19N	01E	11	20	11	4	13								10	8	1	3		70

Total number of acres irrigated 81

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.
WATER RIGHT NO.'S 78-0143B, 78-0144B & 78-7238 or None ()

14. Remarks: THIS RIGHT AND WATER RIGHT NO. 78-0143B ARE BOTH BEING CLAIMED ON THIS ADJUDICATION CLAIM SINCE THEY HAVE THE SAME PRIORITY DATE AND ARE BOTH USED IN THE SAME WATER SYSTEM.
~~78-0142B~~ 78-0142B - 0.520 CFS; 78-0143B - 0.330 CFS

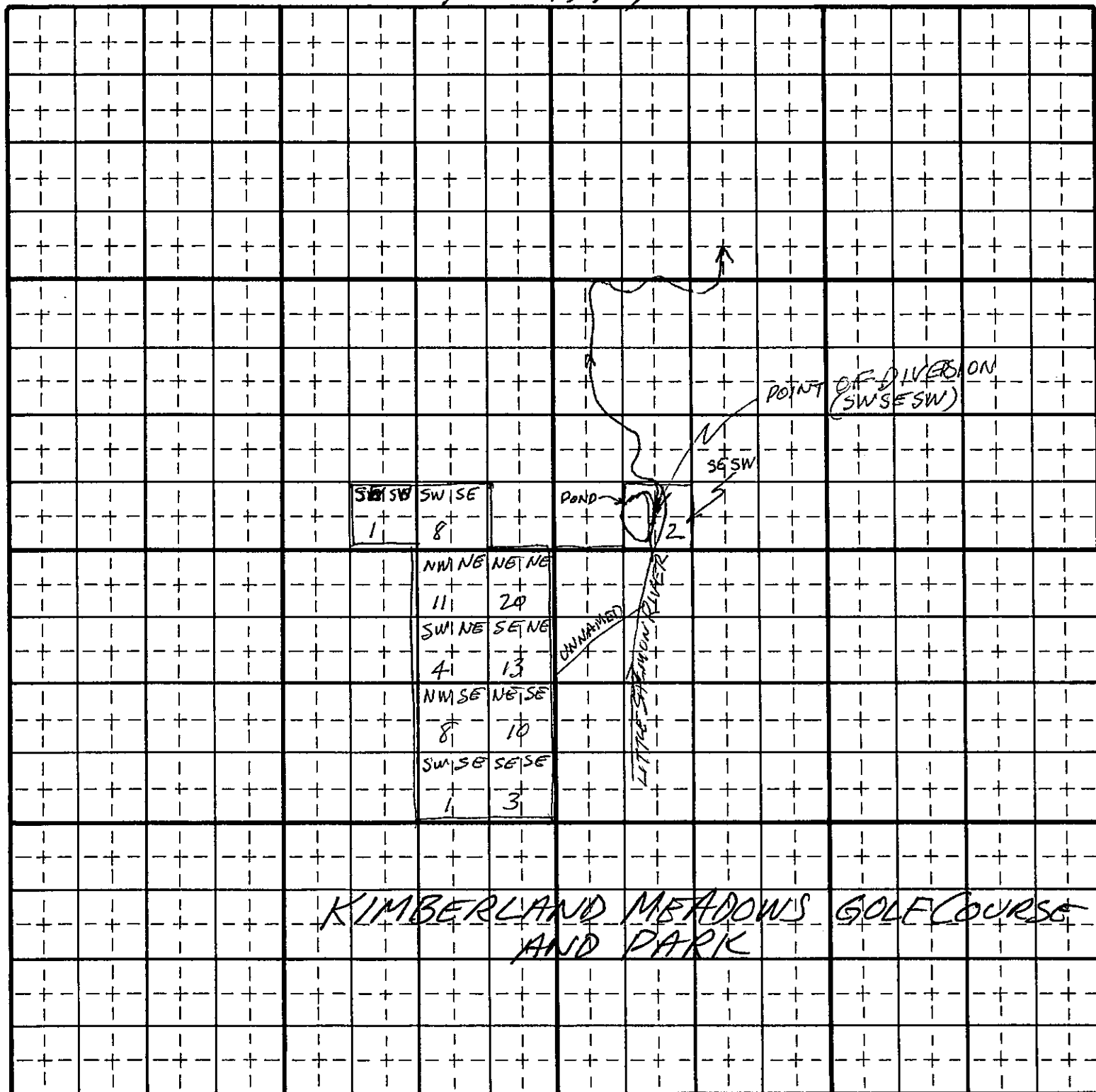
Last Name BAP-I, INC Ident No. A78-00142B

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

Scale: 2 inches equals 1 mile

TWP 19N, R 1E



Last Name _____ Ident No. _____

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Copies: White-State, Yellow-Claimant

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15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree x
If applicable provide IDWR Water Right Number _____
Court 7th Case Number _____ Decree Date 1/09/1931
Plaintiff vs Defendant GUSTAV E. MEYER vs J.G. BERRY ET. AL.

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do x do not _____
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments 0

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

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

For Organizations: I do solemnly swear or affirm that I am ENGINEER-DEVELOPMENT MANAGER
Title
of KIMBERLAND MEADOWS , that I have signed the foregoing
Organization
document in the space below as ENGINEER-DEVELOPMENT MANAGER of KIMBERLAND MEADOWS
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent *Richard A. Cowdery*
Title and Organization KIMBERLAND MDWS - ENGINEER-DEVELOPMENT MGR. Date _____

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

Subscribed and sworn (or affirmed) before me this 25th day of APRIL 19 88

SEAL

Notary Public EMILE D. COWDERY *Emile D. Cowdery*
Residing at NEW MEADOWS, IDAHO

My Commission Expires AUGUST 12, 1993

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name BAP-I Ident. Number A78-00142B

Correct White Stamp, Allow Claimant
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PLACE OF USE S2SW, S12, T19N, R01E

2-Mar-1988

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS ABSTRACT

WR-NUMBER:
78-0142

CURRENT OWNER:
GUSTAV MEYER

PRIORITY DATE:
15-May-1906

STAGE:
DECREE

COUNTY: ADAMS

SOURCE: LITTLE SALMON RIVER

TRIBUTARY: SALMON RIVER

WATER USE:

DIVERSION-RATE:

DIVERSION-VOLUME:

IRRIGATION

1.555 CFS

0.00 AF

TOTAL RATE:

1.555 CFS

TOTAL VOLUME:

0.00 AF

REMARKS: THIS RIGHT GOOD THRU JULY 1 OF EACH YEAR.

PLACE OF USE:	T19N	R01E	S12	NENW
	T19N	R01E	S12	NWNW
	T19N	R01E	S12	SWNW
	T19N	R01E	S12	SENW
	T19N	R01E	S12	NESW
	T19N	R01E	S12	NWSW
	T19N	R01E	S12	SWSW
	T19N	R01E	S12	SESW

WR-NUMBER:
78-0143

CURRENT OWNER:
GUSTAV MEYER

PRIORITY DATE:
15-May-1906

STAGE:
DECREE

COUNTY: ADAMS

SOURCE: LITTLE SALMON RIVER

TRIBUTARY: SALMON RIVER

WATER USE:

DIVERSION-RATE:

DIVERSION-VOLUME:

IRRIGATION

0.975 CFS

0.00 AF

TOTAL RATE:

0.975 CFS

TOTAL VOLUME:

0.00 AF

REMARKS: THIS RIGHT GOOD AFTER JULY1 EACH YEAR.

PLACE OF USE:	T19N	R01E	S12	NENW
	T19N	R01E	S12	NWNW
	T19N	R01E	S12	SWNW
	T19N	R01E	S12	SENW
	T19N	R01E	S12	NESW
	T19N	R01E	S12	NWSW
	T19N	R01E	S12	SWSW
	T19N	R01E	S12	SESW

WR-NUMBER:
78-7263A

CURRENT OWNER:
BRUNDAGE WATER USERS ASSN.
P.O. BOX 333
NEW MEADOWS, ID 83654

PRIORITY DATE:
22-Mar-1985

STAGE:
PERMIT

COUNTY: ADAMS

SOURCE: BRUNDAGE CREEK
HARTLY CREEK

TRIBUTARY: GOOSE CREEK
BRUNDAGE CREEK

WATER DISTRICT: 78C

WATER USE:

DIVERSION-RATE:

DIVERSION-VOLUME:

IRRIGATION STORAGE

0.000 CFS

3292.00 AF

IRRIGATION FROM STORAGE

0.000 CFS

3292.00 AF

TOTAL RATE:

0.000 CFS

TOTAL VOLUME:

3292.00 AF

REMARKS: SOURCES ARE BRUNDAGE CK., TRIB. GOOSE CK.; HARTLY CK., TRIB. BRUNDAGE CK.

POINT OF DIVERSION: T20N, R03E S30 NWSE

PLACE OF USE: T19N R01E S24 NENE AC 40

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T19N	R01E	S24	NWNE	AC 40
T19N	R01E	S24	SWNE	AC 40
T19N	R01E	S24	SENE	AC 40
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T20N	R02E	S30	NENW	AC 40
T20N	R02E	S30	NWNW	AC 40
T20N	R02E	S30	SWNW	AC 40
T20N	R02E	S30	SENW	AC 40
T20N	R02E	S30	NESW	AC 40
T20N	R02E	S30	NWSW	AC 40
T20N	R02E	S30	SWSW	AC 40
T20N	R02E	S30	SESW	AC 40
T20N	R02E	S30	NESE	AC 40
T20N	R02E	S30	NWSE	AC 40
T20N	R02E	S30	SWSE	AC 40
T20N	R02E	S30	SESE	AC 40
T20N	R02E	S31	NENE	AC 40
T20N	R02E	S31	NWNE	AC 40
T20N	R02E	S31	SWNE	AC 40
T20N	R02E	S31	SENE	AC 40
T20N	R02E	S31	NENW	AC 40
T20N	R02E	S31	NWNW	AC 40

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T20N	R02E	S31	SWNW	AC 40
T20N	R02E	S31	SENW	AC 40
T20N	R02E	S31	NESW	AC 40
T20N	R02E	S31	NWSW	AC 40
T20N	R02E	S31	SWSW	AC 40
T20N	R02E	S31	SESW	AC 40
T20N	R02E	S31	NESE	AC 40
T20N	R02E	S31	NWSE	AC 40
T20N	R02E	S31	SWSE	AC 40
T20N	R02E	S31	SESE	AC 40
T19N	R01E	S01	NENE	AC 40
T19N	R01E	S01	NWNE	AC 40
T19N	R01E	S01	SWNE	AC 40
T19N	R01E	S01	SENE	AC 40
T19N	R01E	S01	NENW	AC 40
T19N	R01E	S01	NWNW	AC 40
T19N	R01E	S01	SWNW	AC 40
T19N	R01E	S01	SENW	AC 40
T19N	R01E	S01	NESW	AC 40
T19N	R01E	S01	NWSW	AC 40
T19N	R01E	S01	SWSW	AC 40
T19N	R01E	S01	SESW	AC 40
T19N	R01E	S01	NESE	AC 40
T19N	R01E	S01	NWSE	AC 40
T19N	R01E	S01	SWSE	AC 40
T19N	R01E	S01	SESE	AC 40
T19N	R02E	S06	NENE	AC 40
T19N	R02E	S06	NWNE	AC 40
T19N	R02E	S06	SWNE	AC 40
T19N	R02E	S06	SENE	AC 40
T19N	R02E	S06	NENW	AC 40
T19N	R02E	S06	NWNW	AC 40
T19N	R02E	S06	SWNW	AC 40
T19N	R02E	S06	SENW	AC 40
T19N	R02E	S06	NESW	AC 40
T19N	R02E	S06	NWSW	AC 40
T19N	R02E	S06	SWSW	AC 40
T19N	R02E	S06	SESW	AC 40
T19N	R02E	S06	NESE	AC 40
T19N	R02E	S06	NWSE	AC 40
T19N	R02E	S06	SWSE	AC 40
T19N	R02E	S06	SESE	AC 40
T19N	R02E	S05	NESW	AC 40
T19N	R02E	S05	NWSW	AC 40
T19N	R02E	S05	SWSW	AC 40
T19N	R02E	S05	SESW	AC 40
T19N	R01E	S12	NENE	AC 40
T19N	R01E	S12	NWNE	AC 40
T19N	R01E	S12	SWNE	AC 40
T19N	R01E	S12	SENE	AC 40
T19N	R01E	S12	NENW	AC 40
T19N	R01E	S12	NWNW	AC 40
T19N	R01E	S12	SWNW	AC 40
T19N	R01E	S12	SENW	AC 40
T19N	R01E	S12	NESW	AC 40
T19N	R01E	S12	NWSW	AC 40
T19N	R01E	S12	SWSW	AC 40
T19N	R01E	S12	SESW	AC 40
T19N	R01E	S12	NESE	AC 40
T19N	R01E	S12	NWSE	AC 40
T19N	R01E	S12	SWSE	AC 40
T19N	R01E	S12	SESE	AC 40
T19N	R02E	S07	NENE	AC 40
T19N	R02E	S07	NWNE	AC 40
T19N	R02E	S07	SWNE	AC 40
T19N	R02E	S07	SENE	AC 40

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T19N	R02E	S07	NENW	AC 40
T19N	R02E	S07	NWNW	AC 40
T19N	R02E	S07	SWNW	AC 40
T19N	R02E	S07	SENW	AC 40
T19N	R02E	S07	NESW	AC 40
T19N	R02E	S07	NWSW	AC 40
T19N	R02E	S07	SWSW	AC 40
T19N	R02E	S07	SESW	AC 40
T19N	R02E	S07	NESE	AC 40
T19N	R02E	S07	NWSE	AC 40
T19N	R02E	S07	SWSE	AC 40
T19N	R02E	S07	SESE	AC 40
T19N	R02E	S08	NENE	AC 40
T19N	R02E	S08	NWNE	AC 40
T19N	R02E	S08	SWNE	AC 40
T19N	R02E	S08	SENE	AC 40
T19N	R02E	S08	NENW	AC 40
T19N	R02E	S08	NWNW	AC 40
T19N	R02E	S08	SWNW	AC 40
T19N	R02E	S08	SENW	AC 40
T19N	R02E	S08	NESW	AC 40
T19N	R02E	S08	NWSW	AC 40
T19N	R02E	S08	SWSW	AC 40
T19N	R02E	S08	SESW	AC 40
T19N	R02E	S08	NESE	AC 40
T19N	R02E	S08	NWSE	AC 40
T19N	R02E	S08	SWSE	AC 40
T19N	R02E	S08	SESE	AC 40
T19N	R01E	S14	SENE	AC 40
T19N	R01E	S14	NESE	AC 40
T19N	R01E	S14	SESE	AC 40
T19N	R01E	S13	NENE	AC 40
T19N	R01E	S13	NWNE	AC 40
T19N	R01E	S13	SWNE	AC 40
T19N	R01E	S13	SENE	AC 40
T19N	R01E	S13	NENW	AC 40
T19N	R01E	S13	NWNW	AC 40
T19N	R01E	S13	SWNW	AC 40
T19N	R01E	S13	SENW	AC 40
T19N	R01E	S13	NESE	AC 40
T19N	R01E	S13	NWSE	AC 40
T19N	R01E	S13	SWSE	AC 40
T19N	R01E	S13	SESE	AC 40
T19N	R02E	S18	NENE	AC 40
T19N	R02E	S18	NWNE	AC 40
T19N	R02E	S18	SWNE	AC 40
T19N	R02E	S18	SENE	AC 40
T19N	R02E	S18	NENW	AC 40
T19N	R02E	S18	NWNW	AC 40
T19N	R02E	S18	SWNW	AC 40
T19N	R02E	S18	SENW	AC 40
T19N	R02E	S18	NESW	AC 40
T19N	R02E	S18	NWSW	AC 40
T19N	R02E	S18	SWSW	AC 40
T19N	R02E	S18	SESW	AC 40
T19N	R02E	S18	NESE	AC 40
T19N	R02E	S18	NWSE	AC 40
T19N	R02E	S18	SWSE	AC 40
T19N	R02E	S18	SESE	AC 40
T19N	R02E	S17	NENE	AC 40
T19N	R02E	S17	NWNE	AC 40
T19N	R02E	S17	SWNE	AC 40
T19N	R02E	S17	SENE	AC 40
T19N	R02E	S17	NENW	AC 40
T19N	R02E	S17	NWNW	AC 40
T19N	R02E	S17	SWNW	AC 40

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6-1 6-5 1992

T19N	R02E	S17	SENW	AC 40
T19N	R02E	S17	NESW	AC 40
T19N	R02E	S17	NWSW	AC 40
T19N	R02E	S17	SWSW	AC 40
T19N	R02E	S17	SESW	AC 40
T19N	R02E	S17	NESE	AC 40
T19N	R02E	S17	NWSE	AC 40
T19N	R02E	S17	SWSE	AC 40
T19N	R02E	S17	SESE	AC 40
T19N	R02E	S16	NWSW	AC 40
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T19N	R01E	S23	SWNE	AC 40
T19N	R01E	S23	SENE	AC 40
T19N	R01E	S23	NESE	AC 40
T19N	R01E	S23	NWSE	AC 40
T19N	R01E	S23	SWSE	AC 40
T19N	R01E	S23	SESE	AC 40
T19N	R02E	S31	SENW	AC 40
T19N	R02E	S31	NESW	AC 40
T19N	R02E	S31	NWSW	AC 40
T19N	R02E	S31	SWSW	AC 40
T19N	R02E	S31	SESW	AC 40
T19N	R02E	S31	NWSE	AC 40
T19N	R02E	S31	NESE	AC 40

TOTAL ACRES: 16920

WR-NUMBER:
78-2018

CURRENT OWNER:
GUSTAV E. MEYER
NEW MEADOWS, ID

PRIORITY DATE:
27-Oct-1919

STAGE:
LICENSE

COUNTY: ADAMS

SOURCE: LITTLE SALMON RIVER

TRIBUTARY: SALMON RIVER

WATER USE:

DIVERSION-RATE:

DIVERSION-VOLUME:

IRRIGATION

2.000 CFS

0.00 AF

DOMESTIC

0.000 CFS

0.00 AF

TOTAL RATE:

2.000 CFS

TOTAL VOLUME:

0.00 AF

POINT OF DIVERSION: T19N R01E S23 NENE

PLACE OF USE: T19N R01E S12 NESW AC 20

T19N R01E S12 NWSW AC 40

T19N R01E S12 SWSW AC 40

TOTAL ACRES: 100

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CCT 0 5 1992

WHEN RECORDED RETURN,
AND MAIL TAX NOTICES TO:

BA PROPERTIES I, INC.,
A Delaware Corporation
555 California St., Suite 4275
San Francisco, California
94104

STATE OF IDAHO, COUNTY OF ADAMS
I hereby certify that this instrument was
filed for record at the request of _____
_____ at _____ minutes past
_____ o'clock ____m., this ____ day of _____,
19____, in my office and duly recorded in Book
_____ of Deeds at Page _____.

COPY

By _____ Ex Officio Recorder
Deputy
Fee \$ _____

C O R R E C T E D

WARRANTY DEED

SIMPCO LANDS, A California Limited Partnership ("GRANTOR"), whose headquarters mailing address is Post Office Box 769, Smith River, California, 95567, and principal place of business in Idaho is at the Intersection of State Highways 95 and 55 (Post Office Drawer "C"), New Meadows, Idaho, 83654, for good and valuable consideration, does hereby grant, bargain, sell and convey to BA PROPERTIES I, INC., a Delaware Corporation ("GRANTEE"), the real property situated in the County of Adams, State of Idaho, and more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO
AND INCORPORATED HEREIN BY
REFERENCE AND MADE A PART HEREOF

This Deed is an absolute conveyance, the GRANTOR having transferred the aforesaid real property and all improvements thereon and appurtenances thereto, to the GRANTEE, for a fair and adequate consideration, the consideration being full satisfaction of all obligations secured by the Real Estate Mortgage executed by SIMPCO LANDS, A California Limited Partnership, as Mortgagor, in favor of BANK OF AMERICA, NT&SA, as Beneficiary, recorded on March 21, 1985, in Book M of Mortgages, page 094-097, official records of Adams County, Idaho, as Instrument #70078.

GRANTOR declares that this conveyance is freely and fairly made, and that GRANTOR has no further interest in or title to or claims against the aforescribed property or to the proceeds and profits that may be derived therefrom.

SUBJECT TO each and all of the following:

1. First Amended and Restated Declaration of Protective Covenants, Conditions, and Restrictions recorded as Instrument No. 71874, in the Records of the Adams County Recorder, Council, Idaho, together with all recorded amendments thereto, including therein the GRANTEE'S obligation to pay annual dues and assessments, and all

2. Utility, drainage, and right-of-way easements of record or in use, and other restrictions contained in the Plat of the Kimberland Meadows Subdivision applicable to the aforescribed property and recorded in the Records of Adams County Recorder, Council, Idaho.
3. All other recorded liens, encumbrances, exceptions, rights-of-way and easements of record.

This Deed is given to correct the legal description contained in that certain Warranty Deed from the above-named GRANTOR to the GRANTEE dated July 31, 1987, and recorded in the office of the County Recorder of Adams County, Idaho, on August 18, 1987, as Instrument #74625.

SIMPCO LANDS
A California Limited Partnership

STATE OF CALIFORNIA)
) ss.
COUNTY OF DEL NORTE)

WITNESS my hand and official seal.



Residing at: *Smith River*

EXHIBIT "A"

LEGAL DESCRIPTION OF
KIMBERLAND MEADOWS PROJECT

Township 19 North, Range 1 East, Boise Meridian, Adams County, Idaho.

Section 2: NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$,

AND

a portion of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ more particularly described as follows:

COMMENCING at the Southeast corner of said NE $\frac{1}{4}$ NW $\frac{1}{4}$, a 5/8 inch diameter steel pin with an aluminum cap, and the REAL POINT OF BEGINNING;

thence South 89° 00' 06" West along the South boundary line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$ 1349.36 feet to a 5/8 inch diameter steel pin with an aluminum cap, the Southwest corner of said NE $\frac{1}{4}$ NW $\frac{1}{4}$;

thence North 2° 18' 57" East along the West boundary line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$ 580.00 feet to a 5/8 inch diameter steel pin with a plastic cap;

thence North 89° 00' 06" East and parallel to said South boundary line 500.00 feet to a 5/8 inch diameter steel pin with a plastic cap;

thence South 55° 37' 59" East 1000.42 feet to the REAL POINT OF BEGINNING.

ALSO

a portion of the N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section more particularly described as follows:

COMMENCING at the Southwest corner of said N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, THE REAL POINT OF BEGINNING;

thence North 00° 32' 01" West along the West boundary line of said Section 2, 159.35 feet to a 5/8 inch diameter steel pin with a plastic cap;

thence North 88° 34' 24" East and parallel to the South boundary line of the said N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ 492.19 feet to a 5/8 inch diameter steel pin with a plastic cap;

thence North 00° 04' 02" West and parallel to the East boundary line of the said N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, 371.22 feet to a 5/8 inch diameter steel pin with a plastic cap;

thence North 88° 34' 48" East 229.23 feet to a 5/8 inch steel pin with a plastic cap; thence South 4° 31' 09"

West 190.15 feet to a 5/8 inch steel pin with a plastic cap; thence South 35° 13' 56" West 256.44 feet to a 5/8

inch steel pin with a plastic cap; thence South 40° 57' 42" East 220 feet to a 5/8 inch steel pin with a

plastic cap; thence South 88° 34' 24" West along said South boundary line 670.13 feet to the REAL POINT OF BEGINNING.

[Legal Description Continued On Following Page]

EXHIBIT "A" (Continued)

[Legal Description Continued From Preceding Page]

ALSO SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 2 less any part of Kimberland Meadows Subdivision 2.

ALSO

a portion of the SE $\frac{1}{4}$ of Section 3 and the NE $\frac{1}{4}$ of Section 10, both in Township 19 North, Range 1 East, B.M., more particularly described as follows:

COMMENCING at the Corner common to Sections 2, 3, 10 and 11, Township 19 North, Range 1 East, B.M., a brass cap monument, and the REAL POINT OF BEGINNING;

thence South 00° 10' 25" East along the line common to said Section 10 and 11, 1311.22 feet to a found 5/8 inch diameter steel pin with an aluminum cap, the North 1/16 corner common to said Sections 10 and 11;

thence South 00° 11' 09" East along said common line of Sections 10 and 11, 1311.44 feet to the $\frac{1}{4}$ corner common to Sections 10 and 11, a brass cap monument;

thence North 77° 01' 47" West 260.22 feet to a 5/8 inch diameter steel pin with a plastic cap;

thence North 71° 18' 28" West 209.84 feet to a 5/8 inch diameter steel pin with a plastic cap;

thence North 65° 58' 08" West 151.15 feet to a 5/8 inch diameter steel pin with a plastic cap;

thence North 60° 31' 48" West 362.96 feet to a 5/8 inch diameter steel pin with a plastic cap;

thence North 69° 39' 34" West 100.00 feet to a 5/8 inch diameter steel pin with a plastic cap;

thence North 00° 11' 09" West 790.00 feet to a 5/8 inch diameter steel pin with a plastic cap;

thence North 60° 25' 10" West 1279.80 feet to a 5/8 inch diameter steel pin with a plastic cap;

thence North 27° 24' 00" East 860.00 feet to a 5/8 inch diameter steel pin with a plastic cap;

thence South 22° 00' 00" East 440.00 feet to a 5/8 inch diameter steel pin with a plastic cap;

thence South 64° 01' 38" East 804.35 feet to a 5/8 inch diameter steel pin with a plastic cap;

thence North 26° 46' 55" East 1328.94 feet to a 5/8 inch diameter steel pin with a plastic cap;

thence North 00° 32' 01" West 425.00 feet to a 5/8 inch diameter steel pin with a plastic cap;

thence North 88° 34' 24" East 221.36 feet to a 5/8 inch diameter steel pin with a plastic cap on the line common to said Section 2 and 3;

thence South 00° 32' 01" East 819.86 feet along said common line of Sections 2 and 3 to the REAL POINT OF BEGINNING.

[Legal Description Continued On Following Page]

EXHIBIT "A" (Continued)

[Legal Description Continued From Preceding Page]

Section 11: The NW $\frac{1}{4}$, EXCEPTING the SW $\frac{1}{4}$ NW $\frac{1}{4}$, and any portion of Phase II and Phase III of Kimberland Meadows Subdivision; ALSO a portion of the SW $\frac{1}{4}$ of said Section more particularly described as follows:

COMMENCING at the $\frac{1}{4}$ corner common to Sections 10 and 11, Township 19 North, Range 1 East, B.M., a brass cap monument and the REAL POINT OF BEGINNING;
thence North 88° 44' 32" East along the North boundary line of said SW $\frac{1}{4}$, 2665.26 feet to a found 5/8 inch diameter steel pin with an aluminum cap, the Northeast corner of said SW $\frac{1}{4}$;
thence South 00° 17' 42" East along the East boundary line of said SW $\frac{1}{4}$, 1397.24 feet to a point;
thence North 86° 34' 35" West 326.58 feet to a 5/8 inch diameter steel pin with a plastic cap;
thence North 21° 05' 18" West 412.80 feet to a 5/8 inch diameter steel pin with a plastic cap;
thence North 75° 38' 54" West 266.46 feet to a 5/8 inch diameter steel pin with a plastic cap;
thence North, 57° 44' 58" West 200.62 feet to a 5/8 inch diameter steel pin with a plastic cap;
thence North 74° 17' 36" West 263.24 feet to a 5/8 inch diameter steel pin with a plastic cap;
thence North 68° 02' 06" West 351.60 feet to a 5/8 inch diameter steel pin with a plastic cap;
thence North 61° 11' 10" West 628.57 feet to a 5/8 inch diameter steel pin with a plastic cap;
thence North 32° 13' 06" West 155.82 feet to a 5/8 inch diameter steel pin with a plastic cap;
thence North 69° 16' 53" West 355.85 feet to a 5/8 inch diameter steel pin with a plastic cap;
thence South 89° 21' 34" West 223.34 feet to the REAL POINT OF BEGINNING. Less any part of Kimberland Meadows Subdivision Phase III.

Township 19 North, Range 1 East, Boise Meridian, Adams County, Idaho
Section 1: A parcel of land more particularly described as follows:

[Legal Description Continued On Following Page]

EXHIBIT "A" (Continued)

[Legal Description Continued From Preceding Page]

Commencing at the Section Corner common to Sections 1, 2, 11, and 12, T.19 N., R.1 E., B.M., a Brass Cap Monument, thence North 88°47'46" East on the Section Line common to said Sections 1 and 12; 2,233.99 feet to a Point, thence North 01°12'14" West 80.00 feet to a Point on the North Right-of-Way of Forty-Fifth Parallel Drive, as said Forty-Fifth Parallel Drive is shown on the Official Plat of Kimberland Meadows Subdivision as recorded in Book 1 of Plats at Page 48, Records of Adams County, Idaho, said Point being the REAL POINT OF BEGINNING, thence,

South 88°47'46" West 1,037.14 feet on the North Right-of-Way of the said Forty-fifth Parallel Drive to a Point on said Right-of-Way, thence,

North 01°12'14" West 840.00 feet to a Point, thence,
North 88°47'46" East 1,037.14 feet to a Point, thence
South 01°12'14" East 840.00 feet to the REAL POINT OF BEGINNING.

Township 20 North, Range 1 East, Boise Meridian, Adams County, Idaho
Section 35: All that part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ lying Westerly and Northerly of the centerline of an existing County Road of unspecified Width, and more particularly described as follows:

COMMENCING at the Southeast Corner of said Section 35;
thence South 89° 20' 51" West 2,632.84 feet to the South $\frac{1}{4}$ corner being the TRUE POINT OF BEGINNING;
thence North 89°20'51" East 925.86 feet to the centerline of the said County Road;
thence Northerly along the centerline of said County Road the following courses and distances:
North 2° 22' 20" West 76.86 feet;
thence North 11° 01' 48" West 216.37 feet;
thence North 04° 02' 29" West 324.06 feet;
thence North 09° 27' 15" East 250.25 feet;
thence North 23° 35' 42" East 323.64 feet;
thence North 37° 42' 41" East 132.66 feet;
thence North 64° 50' 05" East 140.37 feet;
thence South 85° 03' 16" East 88.66 feet;
thence leaving the centerline of said County Road North 00° 24' 13" East 24.24 feet along the East 1/16 line of said Section 35 to the Southeast 1/16 corner of said Section;
thence South 89° 16' 40" West 1317.73 feet to the center South 1/16 corner of said Section 35;
thence South 00° 20' 54" West 1331.06 feet to the South $\frac{1}{4}$ Corner of said Section 35 and the TRUE POINT OF BEGINNING.

[Legal Description Continued On Following Page]

EXHIBIT "A" (Continued)

[Legal Description Continued From Preceding Page]

TRACT 1:

KIMBERLAND MEADOWS SUBDIVISION 1 as recorded in Book 1 of Plats on page 48 of the records of Adams County, Idaho.

Block 1: Lots 1, 2, 3, 5, 21, 22

Block 2: Lot 11

Block 3: Lots 8, 11, 12

Block 4: Lots 1, 4, 8

Block 5: Lots 7, 15

Block 6: Lots 2, 3, 4, 6, 8, 10, 20, 21, 24, 25

Block 7: Lots 1, 5, 6, 8, 9, 10, 11, 15, 16

Block 8: Lots 4, 5, 9

Block 9: Lots 1 aka Block 10: Lots 1 and 2 of Subdivision #2.

TRACT 2:

KIMBERLAND MEADOWS SUBDIVISION 2 as recorded in Book 2 of Plats on page 2 of the records of Adams County, Idaho.

Block 11: Lots 1, 10, 11, 12, 13

Block 12: Lots 1, 2, 8, 10, 11, 16, 17, 18, 19, 23

Block 13: Lots 2, 4, 5, 6, 7, 14-27, 30, 31, 36, 38-42, 45-47, 49-51, B

Block 14: Lots 1, 2, 5-9, 10, 13

Block 15: Lots 1-9

Block 16: Lots 1-27

Block 17: Lots 1-12, 14, 16, 17, 19-23

Block 18: Lots 1-3

Block 19: Lots 1-6, 8, 12-15

Block 20: Lots 3, 4, 6, 9-11, 13, 17

TRACT 3:

KIMBERLAND MEADOWS SUBDIVISION 3 as recorded in Book 1 of Plats on page 51 of the records of Adams County, Idaho.

Block 21: Lots 1, 3-8, 10-16, Parcels A, B, C, D, E, F, G, H, J, K, L

Block 23: Lots 1-15, 16, 19-35 Parcel R

Block 24: Lots 1-9, 11, 12

Block 25: Lots 1-31, Parcel W

Block 26: Lots 1-12, Parcel Y

Block 27: Lots 1-18, Parcel X

Block 28: Lots 2-12, 14-16, 18-25, 28-34, 37, 41, 45, 47-74, Parcel Z

Block 29: Lots 1-20

Block 30: Lots 1-12, 14, 15-21

Block 31: Lots 1-10, 12, 13, 15, 16, 18, 19, 20, 22

Block 32: Lots 1-14

Block 33: Lots 1-16

AUG 21 1987

A S S I G N M E N T

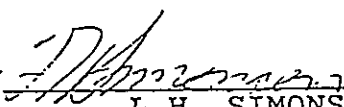
The undersigned, SIMPCO LANDS, A California Limited Partnership ("ASSIGNOR"), FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, does hereby sell, assign, and transfer unto BA PROPERTIES I, INC., a Delaware Corporation
-----, all of its right title and interest in and to the following described Water Rights heretofore granted by the State of Idaho, Department of Water Resources, and pertaining to the Kimberland Meadows Subdivision located in Adams County, Idaho, and more particularly identified as follows:

WATER RIGHT NUMBERS:

78-0142B	78-0143
78-0143B	78-7262
78-0144B	78-7106
78-0144	78-7238
78-0142	78-7177
	78-7238

EXECUTED AND DELIVERED IN THE COUNTY OF DEL NORTE, STATE OF CALIFORNIA, AS OF THE 31st DAY OF JULY, 1987.

SIMPCO LANDS,
A California Limited Partnership

By 
L.H. SIMONSON,
General Partner

QUITCLAIM DEED

For value received JEFFREY ALAN RAMEY and CATHY LYN RAMEY, husband and wife, the grantors, do hereby grant, bargain, sell and convey unto HANSEN'S SURFBOARD, INC., a California corporation qualified to do business in the State of Idaho, the grantee, whose address is Box 806, Encinitas, California 92024, the following described premises in Adams County, Idaho, to wit:

The south one-half Southwest quarter (S 1/2 SW 1/4) of Section 12, Township 19 North, Range 1 East, Boise Meridian, Adams County, Idaho, WITH APPURTENANCES including existing water rights, SUBJECT to existing road and ditch rights-of-way, easements and restrictions, if any, in use or of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee that they are the owners in fee simple of said premises, that they are free from all incumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

Dated this 31st day of July, 1978.

Jeffrey Alan Ramey
Jeffrey Alan Ramey

Cathy Lyn Ramey
Cathy Lyn Ramey

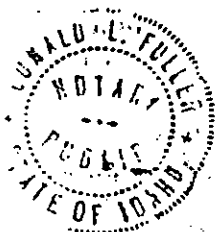
STATE OF IDAHO

County of Valley

SS.

On this 31st day of July, 1978, before me, a Notary Public in and for the State of Idaho, personally appeared JEFFREY ALAN RAMEY and CATHY LYN RAMEY known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



Ronald L. Fuller
Notary Public for Idaho
Residing at 744 1/2, Idaho

Inter-Mountain State Bank

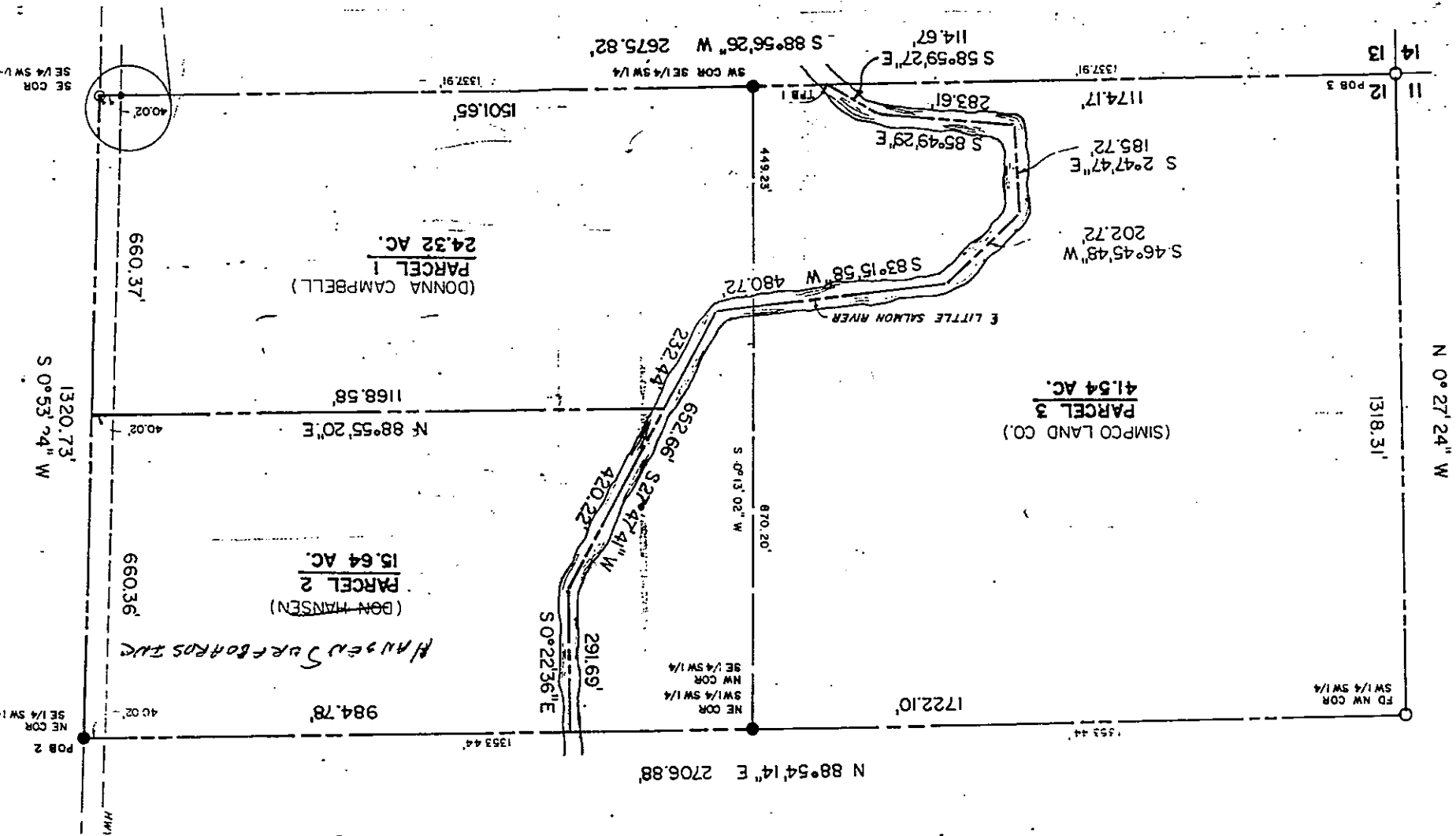
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Good Survey



Transfer No. 3183Water Right No. 78-0142B
78-0143B
78-0144B

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant Simco Lands Phone 347-2158
Post Office address P.O. Drawer C, New Meadows, Id 83654

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by: 78-0142
78-0143
a. Decree No. 78-0144 Decreed to Gustav Meyer
Circle Ranch
(Name)
in case of Gustav E Meyer vs Berry, Carr, Glenn & Circle C
dated in 1/4/31 in 7th Judicial Dist. county of Adams
(Name of court)
b. License No. _____ issued by the Idaho Department of Water Resources
c. Claim No. _____ on file with the Idaho Department of Water Resources
2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired warranty
deed
3. Source of water Little Salmon River tributary to Salmon River
78-0142, 0143 - 5/15/1906
4. Date of priority 78-0144 - 6/15/1920
5. Water is used for the following purposes:
amount 0142 1.555 for Irrigation purposes from 3/1 to 7/1
amount 0143 9.75 for Irrigation purposes from 7/2 to 12/1
0144 6-cfs for Irrigation purposes from 4/1 to 7/1
amount 3.75 for Irrigation purposes from 7/2 to 11/1
(month/day - both dates inclusive)
6. Total amount of water under right: a. _____ cubic feet per second
b. _____ acre feet per annum
7. Location of original point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 23
Township 19N Range 1E, B.M., in Adams County
Additional points of diversion, if any _____
8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
19N	1E	2															40		40
19N	1E	12									40	40							80
19N	1E	11			32														32
19N	1E	1																	160
19N	1E	2																	80
20N	1E	35																	60

Total number of acres to be irrigated _____

9. Describe any other water rights used for the same purpose as described above groundwater
Rights
10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D. REMARKS.

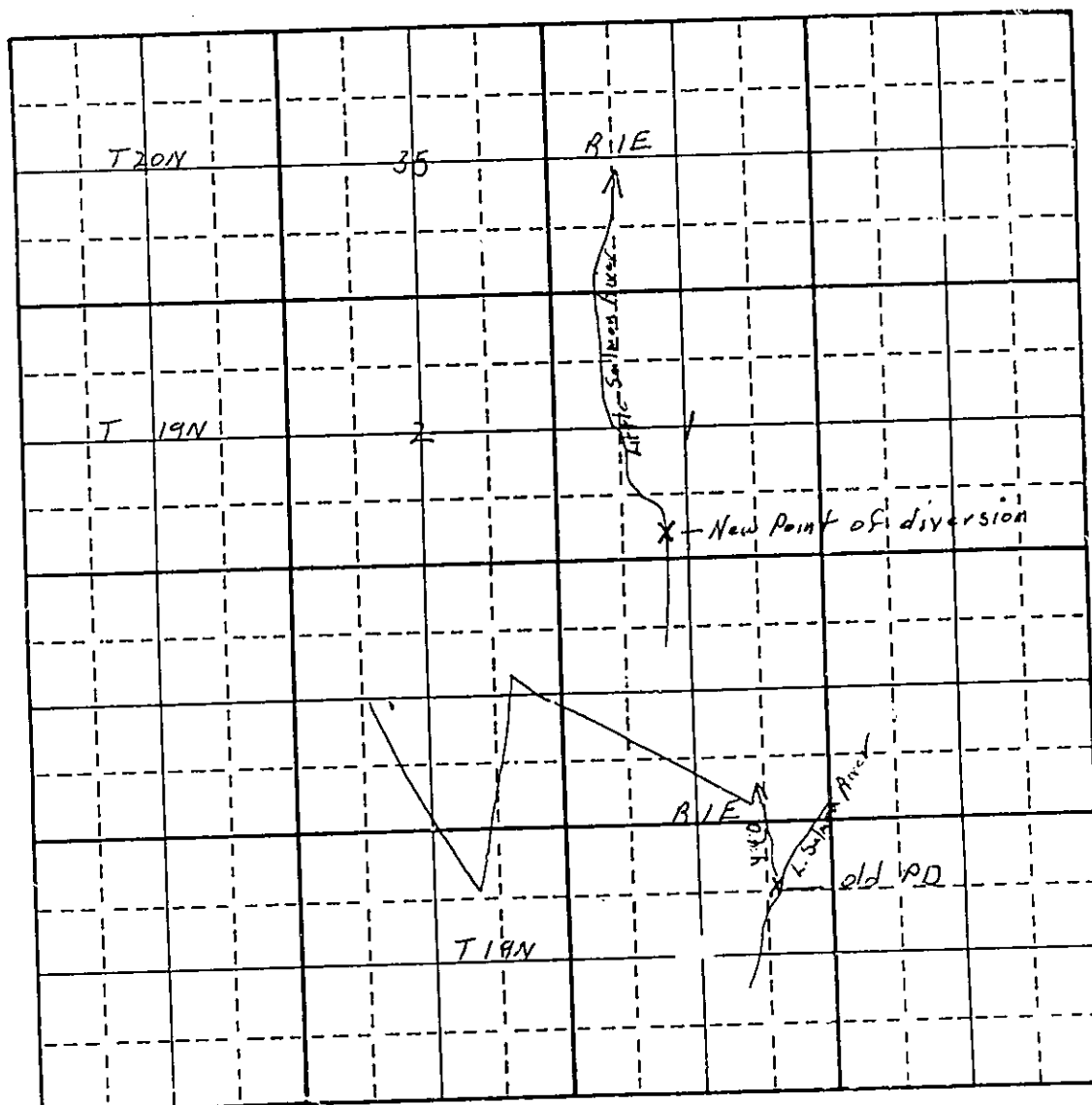
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[illegible]

4. Describe any other water rights used for the same purpose as described above. Groundwater rights

5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



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ACT 05 1002

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. 52 cfs 0142
33 cfs 0143
64 cfs 0144
40 cfs 0144 cubic feet per second &/or
 b. _____ acre feet per annum
2. Point of diversion NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 23 Township 19N
 Range 1E, B.M., Adams County
 Additional points _____
3. Place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
19N	1E	2															40		40
19N	1E	11			32														32

Total number of acres to be irrigated 72

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information 52 0142
33 0143
64 0144
40 0144 c.f.s. &/or _____ acre feet
- a. Amount of water to be diverted _____
- b. Description of diverting works pump with pipeline
- c. Describe the reasons for the proposed changes More efficient use of water, ditch losses through existing ditch are up to 50%
2. Change in point of diversion
- Point of diversion SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1 Township 19N
 Range 1E, B.M., Adams County
 Additional points _____
3. Change in place of use No change
- a. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed change.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

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IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF ADAMS

78-0142, -3, -4, -5
LIT. SALM. TR. SALM.

Gustav E. Meyer

Plaintiff,

-VS-

D E C R E E

J. G. Berry, T. B. Carr, G. W.
Glenn and The Circle C Ranch,
a Corporation,
Defendants.

The above entitled action came on regularly for trial in open Court at Council, Idaho, the 17th day of October, 1930, James Harris appearing as attorney for the plaintiff and Geo. Donart appearing as attorney for the defendants and cross-complainants, T. B. Carr and the Circle C Ranch, and it appearing to the Court that due and legal service of Summons had been made upon the defendants, J. G. Berry and G. W. Glenn, and that no appearance had been made by said last named defendants or either of them, and that the time allowed by law to said defendants for pleading had expired, the defaults of said defendants and each of them are duly and regularly entered.

WHEREUPON witnesses were sworn and examined in behalf of the plaintiff and the defendants, T. B. Carr and the Circle C Ranch, a corporation, and a stipulation in writing was signed and filed between the plaintiff and the appearing defendants, to-wit, the defendants, T. B. Carr and the Circle C Ranch, a corporation, and it was stipulated in open Court that a decree of the above entitled Court should thereafter be entered in accordance with said testimony and the terms of said written stipulation.

That the duty of water to be used upon the irrigation of said lands is hereby fixed as follows: One miner's inch per acre, measured under a four inch pressure, flowing continuously from the begining of the irrigation season of each and every year up to and including the first day of July of each year, and five-eighths miner's inches per acre, measured under a four-inch pressure, flowing continuously at all times subsequent to July 1st of each year;

✓ 78 0142 That there is hereby decreed to the plaintiff, Gustav Meyer, with a date of priority of May 15th, 1906, the right to the use of 77 3/4 miner's inches of water of Little Salmon River upon the lands and premises belonging to the said Gustav Meyer and hereinbefore described, continuously during the irrigation season of each and every year, up to and including the first day of July of

✓ 78 0143 each year and 48 3/4 miner's inches of said water for use upon said lands and premises, continuously during the irrigation season of each and every year subsequent to July 1st thereof.

78 0144 That it is further ORDERED, ADJUDGED and DECREED that there is hereby granted to the defendant, Circle C Ranch, with a date of priority of June 15th, 1920, the right to the use of 300 miner's inches of water of Little Salmon River upon the lands and premises belonging to the said Circle C Ranch and hereinbefore described, continuously during the irrigation season of each and every year, up to and including the first day of July of each year and 187 1/2 miner's inches of said water for use upon said lands and premises continuously during the irrigation season of each and every year subsequent to July 1st thereof.

78 0145 That it further ORDERED, ADJUDGED and DECREED that there is hereby granted to the defendant T. B. Carr, with a date of priority of June 1st, 1921, the right to the use of 40 miner's

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OCT 05 1992



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

APR 7 1993

DATE OF CLOSING: 12/21/92

LEGAL DESCRIPTION OF PROPERTY: Township 20 N Range 1 E. Department of Water Resources
Section 35, 1/4 of 1/4 of 1/4 Govt. Lot 1 BM Regional Office
Lot , Block , Subdivision/Townsite .

If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) A78-00142B, A78-00143B, A78-00144B, A78-07238 & A78-02018A
Assigned by IDWR:
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): B.A. Properties I, Inc., AKA Bank America Properties I, Inc.
P. O. Drawer C
New Meadows, ID 83654
- ☐ New Owner/Claimant (Purchaser): M RESORTS, LTD., an Idaho Limited Partnership
- ☐ New Mailing Address: 1101 Warren Wagon Road
P. O. Box 1006
McCall, ID 83638
- ☐ New Telephone Number: (208 634 - 4121
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: Deed to Claimant
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)
- ☐ Signature of New Owner/Claimant(s) X [Signature] Date 3/12/93
Douglas F. Manchester, Chairman of the General
Partner, M RESORTS, INC., an Idaho corporation
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: _____ By: _____
Further Action Needed:
Further Action Taken
Date: _____ By: _____
Final Review and Data-Entry
Date: _____ By: _____
Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED
APR 7 1993

DATE OF CLOSING: 12/21/92

LEGAL DESCRIPTION OF PROPERTY: Township. 20 N Range 1 E. Department of Water Resources
Section 35, 1/4 of 1/4 of 1/4, Govt. Lot 1, 1/4 of 1/4 of 1/4, Govt. Lot 1, 1/4 of 1/4 of 1/4, Govt. Lot 1,
Lot 1, Block 1, Subdivision/Townsite 1.
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) A78-00142B, A78-00143B, A78-00144B, A78-07238 & A78-02018A
Assigned by IDWR:
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): B.A. Properties I, Inc., AKA Bank America Properties 1, Inc.
P. O. Drawer C
New Meadows, ID 83654
- ☐ New Owner/Claimant (Purchaser): M RESORTS, LTD., an Idaho Limited Partnership
- ☐ New Mailing Address: 1101 Warren Wagon Road
P. O. Box 1006
McCall, ID 83638
- ☐ New Telephone Number: (208) 634 - 4121
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: Deed to Claimant

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s) X 16/11 Date 3/12/93
Douglas F. Manchester, Chairman of the General
Partner, M RESORTS, INC., an Idaho corporation
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: _____ By: _____
Further Action Needed:
Further Action Taken
Date: _____ By: _____
Final Review and Data-Entry
Date: _____ By: _____
Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED
APR 7 1993

DATE OF CLOSING: 12/21/92

LEGAL DESCRIPTION OF PROPERTY: Township 20 N Range 1 E Department of Water Resources
Section 35, 1/4 of 1/4 of 1/4 Govt. Lot 1 BM Western Regional Office
Lot , Block , Subdivision/Townsite .
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) A78-00142B, A78-00143B, A78-00144B, A78-07238 & A78-02018A
Assigned by IDWR:
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): B.A. Properties I, Inc., AKA Bank America Properties I, Inc.
P. O. Drawer C
New Meadows, ID 83654
- ☐ New Owner/Claimant (Purchaser): M RESORTS, LTD., an Idaho Limited Partnership
- ☐ New Mailing Address: 1101 Warren Wagon Road
P. O. Box 1006
McCall, ID 83638
- ☐ New Telephone Number: (208) 634 - 4121
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: Deed to Claimant
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)
- ☐ Signature of New Owner/Claimant(s) X 14/12/93 Date 3/12/93
Douglas F. Manchester, Chairman of the General
Partner, M RESORTS, INC., an Idaho corporation
- ☐ Signature of Former Owner/Claimant(s): Date
 Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: By:
Further Action Needed:

Further Action Taken
Date: By:
Final Review and Data-Entry
Date: By:
Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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(see instructions on back of page)

RECEIVED
APR 7 1993

DATE OF CLOSING: 12/21/92

LEGAL DESCRIPTION OF PROPERTY: Township 20 N Range 1 E. Department of Water Resources
Section 35, 1/4 of 1/4 of 1/4 Govt. Lot 1 BM Western Regional Office
Lot , Block , Subdivision/Townsite .
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) Assigned by IDWR: A78-00142B, A78-00143B, A78-00144B, A78-07238 & A78-02018A
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): B.A. Properties I, Inc., AKA Bank America Properties 1, Inc.
P. O. Drawer C
New Meadows, ID 83654
- ☐ New Owner/Claimant (Purchaser): M RESORTS, LTD., an Idaho Limited Partnership
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P. O. Box 1006
McCall, ID 83638
- ☐ New Telephone Number: (208 634 - 4121
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: Deed to Claimant
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)
- ☐ Signature of New Owner/Claimant(s) X 14/4 Date 3/12/93
Douglas F. Manchester, Chairman of the General
Partner, M RESORTS, INC., an Idaho corporation
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: _____ By: _____
Further Action Needed:
Further Action Taken
Date: _____ By: _____
Final Review and Data-Entry
Date: _____ By: _____
Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

COPY

WARRANTY DEED

For Value Received DOUGLAS F. MANCHESTER, A MARRIED MAN,
AS HIS SOLE AND SEPARATE PROPERTY

the Grantor, does hereby grant, bargain, sell and convey unto:

M RESORTS, LTD., an Idaho limited partnership

whose address is: 501 Lake Street,
McCall, Idaho 83638

the grantees, the following described premises, to-wit:

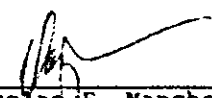
SEE ATTACHED AS EXHIBIT "A"

TO HAVE AND TO HOLD the said premises with their appurtenances unto
the said Grantee, its heirs and assigns forever. And the said
Grantor does hereby covenant to and with the said Grantee, that he
is the owner in fee simple of said premises that said premises are
free from all encumbrances and that he will warrant and defend the
same from all lawful claims whatsoever.

Dated: December 1, 1992.

63316

INSTRUMENT NO. _____
State of Idaho)
County of Adams) ss.


Douglas F. Manchester

Filed for record at the request of
Douglas F. Manchester

on 1st day of December 1992

at 1:00 PM

MICHAEL FISK, RECORDER

by 

State of California)
County of San Diego)

On the 1st of December, 1992, before me, a notary public in and for said State, personally appeared Douglas F. Manchester, known 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

Residing at :

Commission Expires:

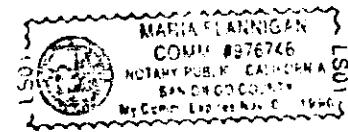


EXHIBIT "A"

County of Adams, State of Idaho

and a General Return

Parcel 1:

Township 19 North, Range 1 East, Boise Meridian, Adams County, Idaho
 Section 2: NW1/4NW1/4, SW1/4NW1/4, SE1/4NW1/4, SW1/4SW1/4SW1/4,

AND

a portion of the NW1/4NW1/4 more particularly described as follows:

COMMENCING at the Southeast corner of said NW1/4NW1/4, a 5/8 inch diameter steel pin with an aluminum cap, and the REAL POINT OF BEGINNING;
 thence South 84° 00' 00" West along the South boundary line of said NW1/4NW1/4 1349.36 feet to a 5/8 inch diameter steel pin with an aluminum cap, the Southwest corner of said NW1/4NW1/4;
 thence North 2° 18' 57" East along the West boundary line of said NW1/4NW1/4 580.00 feet to a 5/8 inch diameter steel pin with a plastic cap;
 thence North 89° 00' 06" East and parallel to said South boundary line 500.00 feet to a 5/8 inch diameter steel pin with a plastic cap;
 thence South 55° 37' 59" East 1000.42 feet to the REAL POINT OF BEGINNING.

ALSO

a portion of the N1/2SW1/4SW1/4 of said Section more particularly described as follows:

COMMENCING at the Southwest corner of said N1/2SW1/4SW1/4, THE REAL POINT OF BEGINNING;
 thence North 00° 32' 01" West along the West boundary line of said Section 2, 159.35 feet to a 5/8 inch diameter steel pin with a plastic cap;
 thence North 88° 34' 24" East and parallel to the South boundary line of the said N1/2SW1/4SW1/4 492.19 feet to a 5/8 inch diameter steel pin with a plastic cap;
 thence North 00° 04' 02" West and parallel to the East boundary line of the said N1/2SW1/4SW1/4, 371.22 feet to a 5/8 inch diameter steel pin with a plastic cap;
 thence North 88° 34' 48" East 229.23 feet to a 5/8 inch diameter steel pin with a plastic cap;
 thence South 04° 31' 09" West 190.15 feet to a 5/8 inch steel pin with a plastic cap;
 thence South 35° 13' 56" West 256.44 feet to a 5/8 inch steel pin with a plastic cap;
 thence South 40° 57' 42" East 171 feet, more or less, to the Southeast corner of the NW1/4SW1/4SW1/4;
 thence South 88° 34' 24" West along said South boundary line 670.13 feet to the REAL POINT OF BEGINNING.

SE 1/4 SW 1/4

NE 1/4 SW 1/4 of said Section 2 less any part of
Keweenaw Masses Subdivision 2.

N.S.

a portion of the SE 1/4 of Section 3 and the NE 1/4 of Section
10, both in Township 19 North, Range 1 East, B.M., nor
particularly described as follows:

COMMENCING at the Corner common to Sections 2, 3, 10 and 11,
Township 19 North, Range 1 East, B.M., a brass cap monument,
and the REAL POINT OF BEGINNING;

thence South 00° 10' 25" East along the line common to said
Section 10 and 11, 1311.27 feet to a found 5/8 inch diameter
steel pin with an aluminum cap, the North 1/16 corner common to
said Sections 10 and 11;

thence South 00° 11' 09" East along said common line of
Sections 10 and 11, 1311.44 feet to the 1/4 corner common to
Sections 10 and 11, a brass cap monument;

thence North 77° 01' 47" West 260.22 feet to a 5/8 inch
diameter steel pin with a plastic cap;

thence North 71° 18' 28" West 209.84 feet to a 5/8 inch
diameter steel pin with a plastic cap;

thence North 65° 58' 08" West 151.15 feet to a 5/8 inch
diameter steel pin with a plastic cap;

thence North 60° 31' 48" West 362.96 feet to a 5/8 inch
diameter steel pin with a plastic cap;

thence North 69° 39' 34" West 100.00 feet to a 5/8 inch
diameter steel pin with a plastic cap;

thence North 00° 11' 09" West 790.00 feet to a 5/8 inch
diameter steel pin with a plastic cap;

thence North 60° 25' 10" West 1279.80 feet to a 5/8 inch
diameter steel pin with a plastic cap;

thence North 27° 24' 00" East 860.00 feet to a 5/8 inch
diameter steel pin with a plastic cap;

thence South 22° 00' 00" East 440.00 feet to a 5/8 inch
diameter steel pin with a plastic cap;

thence South 64° 01' 38" East 804.35 feet to a 5/8 inch
diameter steel pin with a plastic cap;

thence North 26° 46' 55" East 1328.94 feet to a 5/8 inch
diameter steel pin with a plastic cap;

thence North 00° 32' 01" West 425.00 feet to a 5/8 inch diameter
steel pin with a plastic cap;

thence North 85° 34' 24" East 221.36 feet to a 5/8 inch
diameter steel pin with a plastic cap on the line common to
said Section 2 and 3;

thence South 00° 32' 01" East 819.86 feet along said common
line of Sections 2 and 3 to the REAL POINT OF BEGINNING.

Section 11: The SW1/4, EXCEPTING the SW1/4SW1/4, and any portion of Phase II and Phase III of Kimberland Meadows Subdivision;
LESS a portion of the SW1/4 of said Section more particularly described as follows:

BEGINNING at the 1/4 corner common to Sections 10 and 11, Township 19 North, Range 1 East, S.M., a brass cap monument and the REAL POINT OF BEGINNING;

thence North 88° 44' 32" East along the North boundary line of said SW1/4, 2665.26 feet to a found 5/8 inch diameter steel pin with an aluminum cap, the Northeast corner of said SW1/4;

thence South 00° 17' 42" East along the East boundary line of said SW1/4, 1397.24 feet to a point;

thence North 86° 34' 35" West 326.58 feet to a 5/8 inch diameter steel pin with a plastic cap;

thence North 21° 05' 18" West 412.80 feet to a 5/8 inch diameter steel pin with a plastic cap;

thence North 75° 38' 54" West 266.46 feet to a 5/8 inch diameter steel pin with a plastic cap;

thence North 57° 44' 58" West 200.62 feet to a 5/8 inch diameter steel pin with a plastic cap;

thence North 74° 17' 36" West 263.24 feet to a 5/8 inch diameter steel pin with a plastic cap;

thence North 68° 02' 06" West 351.60 feet to a 5/8 inch diameter steel pin with a plastic cap;

thence North 61° 11' 10" West 628.57 feet to a 5/8 inch diameter steel pin with a plastic cap;

thence North 32° 13' 06" West 155.82 feet to a 5/8 inch diameter steel pin with a plastic cap;

thence North 69° 16' 53" West 355.85 feet to a 5/8 inch diameter steel pin with a plastic cap;

thence South 89° 21' 34" West 223.34 feet to the REAL POINT OF BEGINNING.

LESS any part of Kimberland Meadows Subdivision Phase III.

Page 4

Township 19 North, Range 1 East, Boise Meridian, Adams County, Idaho.
Section 1: A parcel of land more particularly described as follows:

Commencing at the Section corner common to Sections 1, 2, 11, and 12, said Township and Range, a brass cap monument;

thence North 88°47'46" East on the Section line common to said Sections 1 and 12, 2,233.99 feet to a point;

thence North 01°12'14" West 80 feet to a point on the North right of way of Forty-Fifth Parallel Drive, as said Forty-Fifth Parallel Drive is shown on the official plat of Kimberland Meadows Subdivision as recorded in Book 1 of Plats at page 48, records of Adams County, Idaho, said point being the REAL POINT OF BEGINNING.

thence South 83°47'46" West, 1,037.14 feet on the North right of way of the said Forty-Fifth Parallel Drive to a point on the said right of way;

thence North 01°12'14" West 840 feet to a point;

thence North 88°47'46" East 1,037.14 feet to a point;

thence South 01°12'14" East 840 feet to the REAL POINT OF BEGINNING.

Township 20 North, Range 1 East, Boise Meridian, Adams County, Idaho
Section 35: All that part of the SW1/4SE1/4 lying Westerly and Northerly of the centerline of an existing County Road of unspecified width, and more particularly described as follows:

COMMENCING at the Southeast Corner of said Section 35;

thence South 89° 20' 51" West 2,632.84 feet to the South 1/4 Corner being the TRUE POINT OF BEGINNING;

thence North 89°20'51" East 925.66 feet to the centerline of the said County Road;

thence Northerly along the centerline of said County Road the following courses and distances:

North 2° 22' 20" West 76.86 feet;

thence North 11° 01' 49" West 216.37 feet;

thence North 04° 02' 29" West 324.06 feet;

thence North 09° 27' 15" East 250.25 feet;

thence North 23° 35' 42" East 323.64 feet;

thence North 37° 42' 41" East 132.66 feet;

thence North 64° 50' 05" East 140.37 feet;

thence South 85° 03' 16" East 68.66 feet;

thence leaving the centerline of said County Road North 00° 24' 13" East 74.24 feet along the East 1/16 line of said Section 35 to the Southeast 1/16 corner of said Section;

thence South 85° 16' 40" West 1317.73 feet to the center South 1/16 corner of said Section 35;

thence South 00° 20' 54" West 1331.06 feet to the South 1/4

Corner of said Section 35 and the TRUE POINT OF BEGINNING.

TRACT 1:

KIMBERLAND MEADOWS SUBDIVISION 1 as recorded in Book 1 of Plats on page 48 of the records of Adams County, Idaho.

Block 1: Lots 1, 2, 3, 5, 21, 22

Block 2: Lot 11

Block 3: Lots 8, 11, 12

Block 4: Lot 4

Block 5: Lots 7, 15

Block 6: Lots 2, 3, 4, 8, 10, 20, 21, 24, 25

Block 7: Lots 5, 6, 8, 9, 10, 11

Block 8: Lots 4, 9

Block 9: Lot 1, aka Block 10: Lots 1 and 2 of Subdivision #2.

TRACT 2:

KIMBERLAND MEADOWS SUBDIVISION 2 as recorded in Book 2 of Plats on page 2 of the records of Adams County, Idaho.

Block 11: Lots 1, 10, 11, 12, 13

Block 12: Lots 1, 2, 8, 10, 16, 17, 19, 23

Block 13: Lots 2, 4, 5, 7, 14-27, 36, 38-42, 45-47, 49-51 and B

Block 14: Lots 1, 2, 5-10, 13

Block 15: Lots 1-9

Block 16: Lots 1-27

Block 17: Lots 1-12, 14, 16, 17, 19-23

Block 18: Lots 1-3

Block 19: Lots 1-6, 8, 12, 13, 14

Block 20: Lots 3, 4, 6, 9, 10, 11, 13

TRACT 3:

KIMBERLAND MEADOWS SUBDIVISION 3 as recorded in Book 1 of Plats on page 51 of the records of Adams County, Idaho.

Block 21: Lots 1, 3, 4, 6, 7, 8, 12-16 and Parcels A, B, C, D, E, F excepting that portion known as KIMBERLAND MEADOWS CONDOMINIUMS, INC.,

G, H, J, K, L

Block 22: Parcel V

Block 23: Lots 1-16, 18-35, Parcel R

Block 24: Lots 1-12

Block 25: Lots 1-31, Parcel W

Block 26: Lots 1-12, Parcel Y

Block 27: Lots 1-18, Parcel X

Block 28: Lots 2-25, 28-34, 37, 41, 45, 47-74, Parcel Z

Block 29: Lots 1-20

Block 30: Lots 1-12, 14-21

Block 31: Lots 1-10, 12, 13, 15, 16, 18, 19, 20, 22

Block 32: Lots 1-14

Block 33: Lots 1-16

—continued—

PAGE 10

PAGE 10

THAT

KIMBERLAND MEADOWS SUBDIVISIONS, INC. as recorded in Book 2 of Plats on page 7 of the records of Adams County, Idaho.

Bldg. 1: Units A, B, C, D.

Bldg. 2: Units A, C, D.

Bldg. 3: Units A, B, C, D.

Bldg. 5: Units A, B, C, D.

TOGETHER with the common area described as follows: Commencing at the Northwestern corner of Parcel F, being the same as the Northeastly corner of Parcel G, Block 21, Kimberland Meadows Subdivision No. 3, according to the official plat thereof on file in the office of the Adams County Recorder, the REAL POINT OF BEGINNING;

thence along the Northerly boundary of said Parcel F North 51°02'39" East 70.00 feet;

thence North 10°18'17" West 100.62 feet;

thence North 59°38'42" East 66.65 feet;

thence North 90°00'00" East 75.00 feet;

thence South 58°14'26" East 123.66 feet along the Easterly boundary of said Parcel F;

thence South 31°45'34" West 95.49 feet;

thence South 21°20'20" East 346.12 feet;

thence South 52°02'34" West 96.20 feet to the Westerly boundary of said Parcel F;

thence North 37°57'26" West 445.36 feet along said Westerly boundary to the POINT OF BEGINNING.

TOGETHER WITH a non-exclusive easement for ingress and egress over the right of way designated as 45th Parallel Drive, according to the official plat thereof recorded in Book 1 of Plats page 46, Adams County records.

44-38846

Exhibit "B"

Tract 19 North, Range 1 East, Boise Meridian, Adams County, Idaho.
Section 11: NW1/4, SW1/4, S1/2SW1/4.

Page 13

KIMBERLAND MEADOWS, OZARK MINIMUM, INC., as recorded in Book 2 of Plats of page 7 of the records of Adams County, Idaho.
Bldg. 4: Units A, B, C.

Township 19 North, Range 1 East, Boise Meridian, Adams County, Idaho
Section 12: N $\frac{1}{2}$ SW $\frac{1}{4}$.

Sections 11 and 12: Parcels in the NW $\frac{1}{4}$ of Section 12 and the NE $\frac{1}{4}$ of Section 11 described as follows:

North Parcel: Commencing at the NW corner of Section 12, the PLACE OF BEGINNING:

thence North 88°47'46" East 2,750.00 feet along the Northerly boundary of said Section 12 to the Westerly right of way of U.S. Highway 95 to a point;

thence 125.84 feet along a non-tangent curve to the right whose long chord bears South 00°35'22" West 125.84 feet, radius is 11,409.16 feet and delta angle is 00°37'55" along said right of way to a point;

thence South 00°54'19" West 749.66 feet along said right of way to a point;

thence South 88°51'00" West 2,780.63 feet to a point on the Easterly right of way of a County Road, according to the official plats of Kimberland Meadows Subdivisions No. 2 and No. 3, on file in the office of the Adams County Recorder;

thence along said County Road right of way: North 00°46'59" East 151.83 feet to a point;

thence 105.79 feet along a curve to the left whose radius is 530.00 feet and delta angle is 11°26'13" to a point;

thence 86.45 feet along a curve to the right whose radius is 470.00 feet and delta angle is 10°32'19" to a point;

thence 186.38 feet along a curve to the right whose radius is 2,970.00 feet and delta angle is 03°35'44" to a point;

thence North 03°28'49" East 343.97 feet to a point;

thence North 88°34'44" East 32.59 feet to the POINT AND PLACE OF BEGINNING.

Page

Section 12

South Parcel: Beginning at the NE corner of Section 12;

thence North $88^{\circ}47'46''$ East 2,755.00 feet along the Northerly boundary of said Section 12 to the Westerly right of way of U.S. Highway 95 to a point;

thence 125.84 feet along a non-tangent curve to the right whose long chord bears South $00^{\circ}35'22''$ West 125.84 feet, radius is 11,409.16 feet and delta angle is $00^{\circ}37'55''$ along said right of way to a point;

thence South $00^{\circ}54'19''$ West 1,408.19 feet along said right of way to a concrete right of way monument, Station 111+00;

thence South $00^{\circ}53'39''$ West 221.77 feet along said right of way to a point, the PLACE OF BEGINNING;

thence continuing South $00^{\circ}53'39''$ West 896.40 feet along said right of way to its intersection with the Southerly boundary of said NW $\frac{1}{4}$ of Section 12 to a point;

thence South $88^{\circ}52'50''$ West 2,688.06 feet to the West $\frac{1}{4}$ Corner of said Section 12, a point;

thence th $88^{\circ}44'01''$ West 51.65 feet to a point on the Easterly right of way of a County Road, according to the official plat of Kimberland Meadows Subdivision No. 3 on file in the office of the Adams County Recorder;

thence along said County Road right of way: 27.05 feet along a non-tangent curve to the left whose long chord bears North $00^{\circ}38'57''$ West 27.05 feet, radius is 4,030.00 feet and delta angle is $00^{\circ}23'04''$ to a point;

thence North $00^{\circ}50'29''$ West 858.95 feet to a point;

thence North $88^{\circ}52'50''$ East 2,766.48 feet to the POINT AND PLACE OF BEGINNING.



QZ NOTE BELOW

NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED
APR 7 1993

DATE OF CLOSING: 12/21/92

LEGAL DESCRIPTION OF PROPERTY: Township 19 N. Range 1 E. Department of Water Resources
Section 1-2-3-10-11-12 1/4 of 1/4 of 1/4 Govt. Lot , BM. Western Regional Office
Lot , Block , Subdivision/Townsite .
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
ROW ON ONE CLAIM = A78-00142B
- ☐ Water Right Number(s)
Assigned by IDWR: A78-00142B, A78-00143B, A78-00144B, A78-07238, A78-02018A
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): B.A. Properties I, Inc., AKA Bank America Properties I, Inc.
P. O. Drawer C
New Meadows, ID 83654
- ☐ New Owner/Claimant (Purchaser): M RESORTS, LTD., an Idaho Limited Partnership
- ☐ New Mailing Address: 1101 Warren Wagon Road
P. O. Box 1006
McCall, ID 83638
- ☐ New Telephone Number: (208) 634-4121
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: Deed to Claimant
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)
- ☐ Signature of New Owner/Claimant(s) X [Signature] Date 3/12/93
Douglas F. Manchester, Chairman of the General
Partner, M RESORTS, INC., an Idaho corporation
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: _____ By: _____
Further Action Needed:
Further Action Taken
Date: _____ By: _____
Final Review and Data-Entry
Date: _____ By: _____
Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

CANNOT PROCESS - NEED FURTHER PROOF OF OWNERSHIP - ATTORNEY WILL EXPLAIN - (SEE AREA IN APP-1112)

RECEIVED
APR 7 1993

CORPORATION WARRANTY DEED

Department of Water Resources
Western Regional Office

FOR VALUE RECEIVED, Shore Club Lodge, Inc., a corporation duly organized and existing under the laws of the State of Idaho, Grantor, does hereby Grant, Bargain, Sell and Convey unto M RESORTS, LTD., an Idaho limited partnership, whose address is 501 Lake Street, McCall, Idaho, 83638, hereinafter called the Grantee, the following described premises situated in Adams County, Idaho, to-wit:

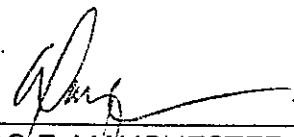
See Exhibit "A" Attached Hereto and Made a Part Hereof

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs, 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 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.

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 Secretary.

Dated: March 12, 1993

SHORE CLUB LODGE, INC.,
an Idaho corporation

By: 
DOUGLAS F. MANCHESTER, President

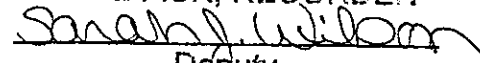
INSTRUMENT NO. 83785
State of Idaho)
County of Adams) ss.

By: 
L. EDWARD ELAM, Secretary

Filed for record at the request of
Steven J. Millemann

00 min. past 2 o'clock P.M.
this 19 day of March, 1993

MICHAEL FISK, RECORDER

by 
Deputy

Fee \$ 9.00

Indexed

STATE OF IDAHO)
) (ss.
 County of Valley)

On this 12th day of March, 1993, before me, Kathleen Mullen, a Notary Public in and for said State, personally appeared DOUGLAS F. MANCHESTER, known or identified to me to be the President of Shore Club Lodge, Inc., an Idaho Corporation, 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.

Kathleen Mullen
 NOTARY PUBLIC FOR IDAHO
 Residing at McCall, Idaho new meadows
 My Commission Expires: 3/5/99

STATE OF IDAHO)
) (ss.
 County of Valley)

On this 12th day of March, 1993, before me, Kathleen Mullen, a Notary Public in and for said State, personally appeared L. EDWARD ELAM, known or identified to me to be the Secretary of Shore Club Lodge, Inc., an Idaho Corporation, 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.

Kathleen Mullen
 NOTARY PUBLIC FOR IDAHO
 Residing at McCall, Idaho new meadows
 My Commission Expires: 3/5/99

Thomas W Kerr
RLS

KERR SURVEYING
PO Box 853
McCall, Idaho
May 17, 1989

Joel W Droulard
RLS

MARRS MIDDLE PARCEL

A parcel of land being a portion of the NW $\frac{1}{4}$ of Section 12, and the NE $\frac{1}{4}$ of Section 11, T. 19 N., R. 1 E., B.M., Adams County, Idaho, more particularly described as follows:

Commencing at the northwest corner of Section 12, T. 19 N., R. 1 E., B.M., Adams County, Idaho, a brass cap, thence, N. 88° 47' 46" E., 2750.00 feet along the northerly boundary of said Section 12 to a 5/8" rebar on the westerly right-of-way line of State Highway 95, thence, 125.84 feet along a non-tangent curve to the right whose long chord bears S. 0° 35' 22" W., 125.84 feet, radius is 11409.16 feet and delta angle is 0° 37' 55", along said right-of-way to a 5/8" rebar; thence, S. 0° 54' 19" W., 749.66 feet along said right-of-way to a 1/2" rebar, the REAL POINT OF BEGINNING:

Thence, continuing S. 0° 54' 19" W., 658.53 feet to a concrete right-of-way monument, Station 111+00,

thence, S. 0° 53' 39" W., 221.77 feet along said right-of-way to a 1/2" rebar,

thence, S. 88° 52' 50" W., 2750.48 feet to a 1/2" rebar on the easterly right-of-way of a County Road as shown on the official plat of Kimberland Meadows Subdivision No. 3 filed in Book 1 on Page 51 of Plats in the Office of the Recorder of Adams County, Idaho,

thence, along said County Road right-of-way:

N. 0° 50' 29" W., 418.21 feet to a 5/8" rebar;

thence, 27.50 feet along a curve to the right

whose radius is 970.00 feet and delta angle is 1°

37' 28" to a 5/8" rebar; thence, N. 0° 46' 59" E., 432.80 feet,

thence, N. 88° 51' 00" E., 2780.63 feet to the Point of

Beginning, containing 56.030 acres, more or less.

Bearings based on Kimberland Meadows Plats.

DESCRIBES 56 ACRES IN THE NW $\frac{1}{4}$, S. 12

" 1 ACRE IN THE NE $\frac{1}{4}$, S. 11

RECEIVED

APR 7 1993

Idaho Department of
Western Regional Office

WARRANT, ID.

For Value Received DONALD F. MANCHESTER, A MARRIED MAN,
AS HIS SOLE AND SEPARATE PROPERTY

the Grantor, does hereby grant, bargain, sell and convey unto:

F. REPORTS, LTD., an Idaho limited partnership

whose address is: 501 Lake Street,
McCall, Idaho 83638

the grantees, the following described premises, to-wit:

SEE ATTACHED AS EXHIBIT "A"

TO HAVE AND TO HOLD the said premises with their appurtenances unto
the said Grantee, its heirs and assigns forever. And the said
Grantor does hereby covenant to and with the said Grantee, that he
is the owner in fee simple of said premises that said premises are
free from all encumbrances and that he will warrant and defend the
same from all lawful claims whatsoever.

Dated: December 1, 1992.

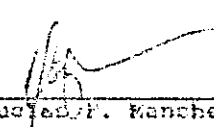
83316

INSTRUMENT NO.

State of Idaho)

County of Ada) ss.

Filed for record at the request of


Donald F. Manchester

DESCRIBES
SOUTHERN LOT
OWNED PREV.
BY BLENMAN
& THEN BEFORE
BY MARRS
(CARL)

thence North $00^{\circ}41'40''$ East 2,750.00 feet along the Northernly

boundary of said Section 12 to the Westerly right of way of
U.S. Highway 95 to a point;

thence 125.84 feet along a non-tangent curve to the right whose
long chord bears South $00^{\circ}35'22''$ West 125.84 feet, radius is
11,408.16 feet and delta angle is $00^{\circ}37'55''$ along said right of
way to a point;

thence South $00^{\circ}54'19''$ West 1,408.19 feet along said right of
way to a concrete right of way monument, Station 111+00;

thence South $00^{\circ}53'14''$ West 721.77 feet along said right of way
to a point, the PLACE OF BEGINNING;

thence continuing South $00^{\circ}53'14''$ West 68.40 feet along said
right of way to its intersection with the Southerly boundary of
said NW 1/4 of Section 12 to a point;

thence South $10^{\circ}52'50''$ West 2,686.00 feet to the West 1/2 Corner
of said Section 12, a point;

thence South $00^{\circ}01'01''$ West 11.65 feet to a point on the
Eastern right of way of a County Road, according to the
official plat of Kinsland Marlow Subdivision No. 3 on file
in the office of the Allen County Recorder;

thence along said County Road right of way: 27.00 feet along a
non-tangent curve to the left whose long chord bears North
 $00^{\circ}12'57''$ West 27.00 feet, radius is 4,000.00 feet and delta
angle is $00^{\circ}33'04''$ to a point;

thence North $00^{\circ}50'29''$ West 688.00 feet to a point;

thence North $88^{\circ}50'50''$ East 2,765.48 feet to the POINT AND
PLACE OF BEGINNING.

DESCRIBES 54.9 AC IN THE NW 1/4, S. 12
1.07 AC IN THE NE 1/4, S. 11

$\frac{1}{2} \frac{1}{2} (1000000)$

EXHIBIT "B"

Township 12 North, Range 1 East, Boise Meridian, Adams County, Idaho
Section 11 N. W. 1/4, S. 1/4, S. 1/4, S. 1/4.

Sec. 11

N¹/₂SWNW

S¹/₂SWNW

19N 1E

THE ADAMS MAPPING & SURVEYING, INC. As recorded in Book 2 of Plats on
page 7 of the records of Adams County, Idaho.

Blk. 1: Units A, B, C, D.

Blk. 2: Units A, C, D.

Blk. 3: Units A, B, C, D.

Blk. 5: Units A, B, C, D.

COMMENCE with the corner area described as follows: Commencing at the
Northeasterly corner of Parcel F, being the same as the Northeasterly
corner of Parcel G, Block 21, Kimberland Meadows Subdivision No. 3,
according to the official plat thereof on file in the office of the Adams
County Recorder, the REAL POINT OF BEGINNING;

thence along the Northerly boundary of said Parcel F North $51^{\circ}02'39''$
East 75.00 feet;

thence North $10^{\circ}18'17''$ West 100.62 feet;

thence North $59^{\circ}39'42''$ East 65.65 feet;

thence North $90^{\circ}00'00''$ East 75.00 feet;

thence South $52^{\circ}14'26''$ East 123.66 feet along the Easterly boundary of
said Parcel F;

thence South $31^{\circ}45'34''$ West 95.49 feet;

thence South $21^{\circ}23'20''$ East 346.12 feet;

thence South $52^{\circ}02'34''$ West 96.20 feet to the Westerly boundary of said
Parcel F;

thence North $37^{\circ}57'26''$ West 445.36 feet along said Westerly boundary to
the POINT OF BEGINNING.

TOGETHER WITH a non-exclusive easement for ingress and egress over the
right of way designated as 45th Parallel Drive, according to the official
plat thereof recorded in Book 1 of Plats page 43, Adams County records.

*Kimberland
Meadows Condo's*

7

TRACT 1: KIMBERLAND MEADOWS SUBDIVISION 1 as recorded in Book 1 of Plats on page 45 of the records of Adams County, Idaho.

Block 1: Lots 1, 2, 3, 5, 21, 22

Block 2: Lot 11

Block 3: Lots 8, 11, 12

Block 4: Lot 4

Block 5: Lots 7, 15

Block 6: Lots 2, 3, 4, 8, 10, 20, 21, 24, 25

Block 7: Lots 5, 6, 8, 9, 10, 11

Block 8: Lots 4, 9

Block 9: Lot 1, aka Block 10: Lots 1 and 2 of Subdivision #2.

TRACT 2:

KIMBERLAND MEADOWS SUBDIVISION 2 as recorded in Book 2 of Plats on page 2 of the records of Adams County, Idaho.

Block 11: Lots 1, 10, 11, 12, 13

Block 12: Lots 1, 2, 8, 10, 16, 17, 19, 23

Block 13: Lots 2, 4, 5, 7, 14-27, 30, 38-42, 45-47, 49-51 and B

Block 14: Lots 1, 2, 5-10, 13

Block 15: Lots 1-9

Block 16: Lots 1-27

Block 17: Lots 1-12, 14, 16, 17, 19-23

Block 18: Lots 1-3

Block 19: Lots 1-6, 8, 12, 13, 14

Block 20: Lots 3, 4, 6, 9, 10, 11, 13

TRACT 3:

KIMBERLAND MEADOWS SUBDIVISION 3 as recorded in Book 1 of Plats on page 51 of the records of Adams County, Idaho.

Block 21: Lots 1, 3, 4, 6, 7, 8, 12-16 and Parcels A, B, C, D, E, F excepting that portion known as KIMBERLAND MEADOWS CONDOMINIUMS, INC.,

G, H, J, K, L

Block 22: Parcel V

Block 23: Lots 1-16, 18-35, Parcel R

Block 24: Lots 1-12

Block 25: Lots 1-31, Parcel W

Block 26: Lots 1-12, Parcel Y

Block 27: Lots 1-16, Parcel X

Block 28: Lots 2-25, 28-34, 37, 41, 45, 47-74, Parcel Z

Block 29: Lots 1-20

Block 30: Lots 1-12, 14-21

Block 31: Lots 1-10, 12, 13, 15, 16, 18, 19, 20, 22

Block 32: Lots 1-16

Block 33: Lots 1-16

---continued---

*Kimberland
Meadows Tract
#s 1 2 & 3*

19N 1E S.1
N 1/2 SW 1/4
SE SW

20N 1E S.35
SW SE

Township 20 North, Range 1 East, Boise Meridian, Adams County, Idaho.
Section 35: A parcel of land more particularly described as follows:

Commencing at the Section corner common to Sections 1, 2, 11,
and 12, said Township and Range, a brass cap monument;

thence North 85°47'40" East on the Section line common to said
Sections 1 and 12, 2,233.93 feet to a point;

thence North 01°12'14" West 80 feet to a point on the North
right of way of Forty-Fifth Parallel Drive, as said Forty-Fifth
Parallel Drive is shown on the official plat of Kimberland
Meadows Subdivision as recorded in Book 1 of Plate at page 48,
records of Adams County, Idaho, said point being the REAL POINT
OF BEGINNING;

thence South 85°47'40" West, 1,037.14 feet on the North right
of way of the said Forty-Fifth Parallel Drive to a point on the
said right of way;

thence North 01°12'14" West 840 feet to a point;

thence North 85°47'40" East 1,037.14 feet to a point;

thence South 01°12'14" East 840 feet to the REAL POINT OF
BEGINNING.

Township 20 North, Range 1 East, Boise Meridian, Adams County, Idaho
Section 35: All that part of the SW 1/4 SW 1/4 lying westerly and northerly of
the centerline of an existing County Road of unspecified width,
and more particularly described as follows:

Commencing at the Southeast Corner of said Section 35;

thence South 89°20'51" West 2,637.64 feet to the South 1/4
Corner being the REAL POINT OF BEGINNING;

thence North 89°20'51" East 925.86 feet to the centerline of
the said County Road;

thence northerly along the centerline of said County Road the
following courses and distances:

North 7°21'20" West 76.84 feet;

thence North 11°01'48" West 210.37 feet;

thence North 04°02'29" West 324.06 feet;

thence North 09°27'15" East 250.35 feet;

thence North 23°35'42" East 323.64 feet;

thence North 37°42'41" East 131.65 feet;

thence North 64°50'05" East 140.37 feet;

thence South 63°03'16" East 241.65 feet;

thence leaving the centerline of said County Road North 80°24'
13" East 72.24 feet along the East 1/4 line of said Section 35
to the Southeast 1/4 corner of said Section;

thence South 89°18'43" West 1217.71 feet to the center South
1/4 corner of said Section 35;

thence North 89°18'43" West 1217.71 feet to the South 1/4
corner of said Section 35 and the REAL POINT OF BEGINNING.

19. The SW 1/4, containing the Section 10, and any portion of Phase II and Phase III of Kirtland Meadows Subdivision;

20. A portion of the SW 1/4 of said Section more particularly described as follows:

BEGINNING at the 1/4 corner common to Sections 10 and 11, Township 19 North, Range 1 East, R.M., a brass cap monument and the REAL POINT OF BEGINNING;

thence North 68° 44' 32" East along the North boundary line of said SW 1/4, 2065.26 feet to a found 5/8 inch diameter steel pin with an aluminum cap, the Northeast corner of said SW 1/4;

thence South 00° 17' 42" East along the East boundary line of said SW 1/4, 1397.24 feet to a point;

thence North 80° 34' 15" West 326.58 feet to a 5/8 inch diameter steel pin with a plastic cap;

thence North 71° 05' 19" West 412.80 feet to a 5/8 inch diameter steel pin with a plastic cap;

thence North 75° 31' 51" West 266.40 feet to a 5/8 inch diameter steel pin with a plastic cap;

thence North 57° 44' 58" West 200.62 feet to a 5/8 inch diameter steel pin with a plastic cap;

thence North 74° 17' 36" West 263.24 feet to a 5/8 inch diameter steel pin with a plastic cap;

thence North 69° 02' 00" West 351.60 feet to a 5/8 inch diameter steel pin with a plastic cap;

thence North 61° 11' 10" West 628.57 feet to a 5/8 inch diameter steel pin with a plastic cap;

thence North 32° 13' 00" West 155.82 feet to a 5/8 inch diameter steel pin with a plastic cap;

thence North 69° 16' 51" West 355.85 feet to a 5/8 inch diameter steel pin with a plastic cap;

thence South 89° 21' 34" West 223.34 feet to the REAL POINT OF BEGINNING.

LESS any part of Kirtland Meadows Subdivision Phase III.

19N 1E Q. II

NW 1/4 (EXCEPT)
(SWNW) + PHASE II + III

NENW

SENW

NWNW

PORTION OF THE SW 1/4

SESWSW SEC 2

PORTION OF

SE 1/4, T. 3

NE 1/4, T. 10

19N 1E

... 1/4 of said Section 2 and any part of
the ... Subdivision 2.

And

a portion of the SW 1/4 of Section 3 and the NW 1/4 of Section
10, both in Township 19 North, Range 1 East, B.M., not
particularly described as follows:

COMMENCING at the Corner common to Sections 2, 3, 10 and 11,
Township 19 North, Range 1 East, B.M., a brass cap monument,
and the REAL POINT OF BEGINNING;

thence South 00° 10' 25" East along the line common to said
Section 10 and 11, 1311.22 feet to a found 5/8 inch diameter
steel pin with an aluminum cap, the North 1/16 corner common to
said Sections 10 and 11;

thence South 00° 11' 00" East along said common line of
Sections 10 and 11, 1311.41 feet to the 1/4 corner common to
Sections 10 and 11, a brass cap monument;

thence North 77° 01' 40" West 205.72 feet to a 5/8 inch
diameter steel pin with a plastic cap;

thence North 71° 18' 20" West 205.84 feet to a 5/8 inch
diameter steel pin with a plastic cap;

thence North 65° 58' 05" West 151.15 feet to a 5/8 inch
diameter steel pin with a plastic cap;

thence North 60° 31' 45" West 362.95 feet to a 5/8 inch
diameter steel pin with a plastic cap;

thence North 69° 33' 34" West 100.00 feet to a 5/8 inch
diameter steel pin with a plastic cap;

thence North 00° 11' 09" West 750.00 feet to a 5/8 inch
diameter steel pin with a plastic cap;

thence North 60° 25' 10" West 1279.80 feet to a 5/8 inch
diameter steel pin with a plastic cap;

thence North 27° 24' 00" East 860.00 feet to a 5/8 inch
diameter steel pin with a plastic cap;

thence South 22° 00' 00" East 440.00 feet to a 5/8 inch
diameter steel pin with a plastic cap;

thence South 64° 01' 38" East 694.35 feet to a 5/8 inch
diameter steel pin with a plastic cap;

thence North 25° 45' 55" East 1326.94 feet to a 5/8 inch
diameter steel pin with a plastic cap;

thence North 00° 32' 01" West 425.00 feet to a 5/8 inch diameter
steel pin with a plastic cap;

thence North 65° 34' 24" East 221.36 feet to a 5/8 inch
diameter steel pin with a plastic cap on the line common to
said Section 2 and 3;

thence South 00° 32' 01" East 219.86 feet along said common
line of Sections 2 and 3 to the REAL POINT OF BEGINNING.

SECTION 21

Section 21, Township 19 North, Range 1 East, Boise Meridian, Adams County, Idaho.

Section 21: NE1/4SW1/4, SE1/4SW1/4, SE1/4NW1/4, SW1/4NW1/4.

AND
a portion of the NE1/4SW1/4 more particularly described as follows:

COMMENCING at the Southeast corner of said NE1/4SW1/4, a 5/8 inch diameter steel pin with an aluminum cap; and the REAL POINT OF BEGINNING;

thence South 87° 00' 00" East along the South boundary line of said NE1/4SW1/4 134.35 feet to a 5/8 inch diameter steel pin with an aluminum cap; the Southwest corner of said NE1/4SW1/4;

thence North 2° 18' 57" East along the West boundary line of said NE1/4SW1/4 580.00 feet to a 5/8 inch diameter steel pin with a plastic cap;

thence North 83° 03' 06" East and parallel to said South boundary line 500.00 feet to a 5/8 inch diameter steel pin with a plastic cap;

thence South 55° 37' 59" East 1040.42 feet to the REAL POINT OF BEGINNING.

AND

a portion of the NE1/4SW1/4SW1/4 of said Section more particularly described as follows:

COMMENCING at the Southwest corner of said NE1/4SW1/4SW1/4, THE REAL POINT OF BEGINNING;

thence North 00° 32' 01" West along the West boundary line of said Section 2, 159.35 feet to a 5/8 inch diameter steel pin with a plastic cap;

thence North 88° 34' 24" East and parallel to the South boundary line of the said NE1/4SW1/4SW1/4 492.19 feet to a 5/8 inch diameter steel pin with a plastic cap;

thence North 00° 04' 02" West and parallel to the East boundary line of the said NE1/4SW1/4SW1/4, 371.22 feet to a 5/8 inch diameter steel pin with a plastic cap;

thence North 68° 34' 48" East 229.23 feet to a 5/8 inch diameter steel pin with a plastic cap;

thence South 04° 31' 09" West 190.15 feet to a 5/8 inch steel pin with a plastic cap;

thence South 55° 13' 50" West 256.44 feet to a 5/8 inch steel pin with a plastic cap;

thence South 40° 57' 42" East 171 feet, more or less, to the Southeast corner of the NE1/4SW1/4SW1/4;

thence North 75° 34' 24" West along said South boundary line 676.13 feet to the REAL POINT OF BEGINNING.

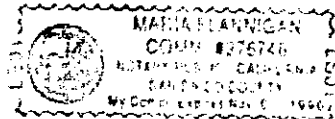
19N 1E Sec. 2 - NWNW, SWNE, SENW,
SWSWSW, ^{PORTION OF} NENW

On the 1st of December, 1922, before me, a notary public in and for said State, personally appeared Douglas F. Manchester, known 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

Residence at :

Term of Office Expires:



Awaiting attorney reply

3
diff.
priority
dates

A78-04006A - Goose Lake Res. Co.

04006B - " " " "

? on ownership of rights? - Need to know if Manchester pays for Goose Lake Res. water on this land - SESW, Q. 1, T. 19N, R. 1E. Steve Campbell's letter states that water delivered to that $\frac{1}{4}$ is for his land + not Manchester's. Can only put for info. in file - See copy for Charlotte Amacost.

A78-04275 - Same idea. - Does Manchester have Granite Twin Lakes water that he pays for + uses on this land. See Change of ownership for % of water delivered.

OK
will
look
per
attorney
no
reply

A78-00142B - SE $\frac{1}{4}$ Sec. 11 - Cannot find any proof of ownership for these $\frac{1}{4}$'s unless it is a part of the Kimbrel Meadows Tract lots

A78-04288, 04314 + 02030A - Problem with ownership for Steve Campbell in SESW, Q. 1 (16 acres of the 30 acres claimed

ownership change OK. A78-00142A - ? on P.D. - are they changing it or was it filed incorrectly.

INTER-DEPARTMENT MEMO — 1

FROM

Don S.

DATE

5/12/88

TO

Debbie A.

SUBJECT

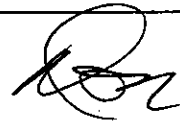
Rec't W000004 Change

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OCT 05 1992

Some time ago Jan Shurte notified me of a request for the above change. Initially the water user filed a transfer application with the \$50 fee. Before processing the transfer the water user withdrew the application and filed adjudication claims. Please change this rec't to Adj. Fees 0410162 9337 6490 & WR No. A7800/44B, \$50. The other claims are on another receipt.

SIGNATURE





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

April 28, 1988

Adams Co.

Mr. Ernest J. Cheney, Broker
Cheney & Co. Real Estate Investments
P. O. Box 1112
McCall, ID 83638

Dear Ernie:

It was really marvelous talking to you again. It's nice to know some people were able to hang on and stay in McCall.

We have researched your client's water rights as they relate to the property they still retain title to in New Meadows. Your client would have water rights under decree 78 B-1. The particular water right numbers are 78-0142 and 78-0143. The rest of the water appropriated under those water right numbers and that decree would now belong to the other owners of the property in question, i.e. Simpco, etc. I have enclosed a copy of the decree and the water rights are marked in red. As you are aware, water rights are a real property right with value on their own merit and are normally appurtenant to the land unless they are transferred or sold. At this point in time, Mr. Hansen apparently owns these water rights even though they are still in the name of Mr. Gustav Meyer.

As I told you on the phone, Idaho is a "beneficial use state" and the law reads that a forfeiture of a water right may occur when the water is not put to a beneficial use for a period of five years or more. So, if it were challenged in court, the finding could be Mr. Hansen no longer has a legal claim to the water rights that originally belonged to Mr. Meyer. If Mr. Hansen wishes to file a Notice of Claim on the water rights for this property, he will be required to pay a fee of \$50.00 plus \$1.00 per acre of irrigated ground.

I'm sorry if this letter sounds ambiguous, but I really can't give what would amount to legal advice to your client on this matter. Mr. Hansen will have to make his own decisions as to whether or not he wants to pursue filing a claim on these water rights. He should be made aware however, that if he does not file, a record of those water rights will not be filed with the court and they will not

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OCT 05 1992

Mr. Ernest J. Cheney
April 28, 1988
Page 2

appear in the final decree that comes out of this adjudication process. If that happens, whoever might decide to make use of these water rights in the future will have to file an application and the priority date of 1906 will be lost permanently. A lot of thought should be given to what he is currently doing with this property and what he plans to do with it in the future.

If I can be of any further help, Ernie, please do not hesitate to contact me.

Sincerely,



Dena Billups
Legal Secretary
Adjudication Bureau

DB
Enclosures

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OCT 05 1992

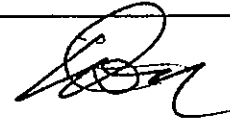
FROM Don Shaff
TO Hansen/Cheney Correspondence
SUBJECT Claims Assistance

DATE

8/24/88

I assisted Mr. Cheney with the claim(s) for Hansen. A single claim that incorporated previously described numbers 78-00142 & 78-00143 into a single claim for a pro rata part of the former rights. The Brundage water, if any exists, was claimed separately by Brundage. A G. Meyer license was not appurtenant to Hansen's present land.

SIGNATURE



over

Cheney will mail the claim to Hansen for signatures and return to this office with a \$116 Filing fee (includes \$50 late fee)

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OCT 05 1992

*This correspondence goes with Claim #'s
78-00142B, 00143B, 00144B, 07238,
02018A, 07173,  + 07177*

KIMBERLAND MEADOWS

Post Office Drawer C
New Meadows, Idaho 83654
1-800-632-1244 (Idaho)
(208) 347-2163

April 22, 1988

Jan Shurte
Sr. Water Resource Agent
Department of Water Resources - Western Region
2735 Airport Way
Boise, Idaho 83705

Dear Jan,

Here they are; signed, sealed and delivered. Thanks much for
your super assistance.

Sincerely yours,


Richard C. Cowdery

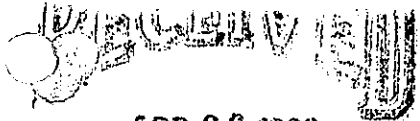
RECEIVED
APR 26 1988

Department of Water Resources
Western Regional Office

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OCT 05 1992

**cheney & co.**
real estate
investments


APR 26 1988

Box 1112 McCall, IDAHO 83638 Department of Water Resources 208-634-7377

April 24, 1988

Ms. Dena Billups
Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706-2237

Dear Dena:

Enclosed please find the legal and other information concerning the property owned by Hansen Surf Boards in Adams County. Once that you have determined the current status of the water-rights pertinent to the described property, please contact me.

Thank you,


Ernest J. Cheney
Broker

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OCT 05 1992

April 18, 1988

Bank America Properties #1
Attn: Dick Cowdery
P.O. Drawer C
New Meadows, ID 83654

Dear Dick:

Enclosed are the Adjudication Claims for Kimberland Meadows that you brought into my office. I have changed the claims in our computer to correspond with these claims.

Also enclosed is an Adjudication Claim for Water Right License No. 78-2018. Since only a portion of this water right is being claimed, I have numbered this claim as 78-2018A. Please note in the remarks section a reference has been made that the portion of Water Right No. 78-2018 being used is that portion which was appurtenant to the 40 acres in the SW1/4SW1/4, Sec. 12, Twp. 19N, Rge. 1E.

If all meets with your approval on these claims, please return the signed and notarized claims with the following fees:

78-0142B/78-0143B - \$50 flat fee plus \$1/acre for 81 acres
= \$131
78-0144B - \$50 flat fee with no charge twice for same acres
as claimed on another right (78-0142B/78-0143B)
78-7238 - \$50 flat fee with no charge twice for same acres
78-2018A - \$50 flat fee with no charge twice for same acres
78-7173 - \$50 flat fee plus \$100 per 1.0 cfs pro-rated for
.68 cfs = \$50 + \$68 = \$118
78-7177 - \$50 flat fee plus \$58 for .58 cfs plus \$1/acre for
5 acres = \$113

Summary of Fees - 78-0142B/0143B - \$131
78-0144B - 50
78-7238 - 50
78-2018A - 50
78-7173 - 118
78-7177 - 113
TOTAL FEES - \$512

-50 - (Transfer App. fee for
\$462 78-0142B-0144B will be
applied to claim fees)

If you have any questions concerning these claims or fees, please feel free to contact me.

Sincerely,

JAN SHURTE
Sr. Water Resource Agent

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OCT 05 1992



KIMBERLAND MEADOWS

Post Office Drawer C
New Meadows, Idaho 83654
1-800-632-1244 (Idaho)
(208) 347-2163

RECEIVED
APR 8 1988

Department of Water Resources
Western Regional Office

April 7, 1988
Ms. Jan Shurte
Sr. Water Resource Agent
Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

Dear Ms. Shurte:

Attached is a map showing Kimberland's total property. (Actually owned by Bank of America Properties - I.) The claim forms will show only the portion of this total that is actually platted and recorded.

It appears to me that portions of land which remained in water rights #78-0142A, 78-0143A, and 78-0144A are actually owned by Kimberland. These are found in TWP 19N, R1E SECTION 1 - NWSW, SWSW; SECTION 2 SENE. The A & B rights shown above may be those indicated in the copy of the License and Certificate you sent me, #14883. Also Certificate #13954 shows lands of use in SEC.12 SWSW, SESW of which Kimberland owns about 1/2. (Just to confuse you part of these SEC.12 lands are actually owned by the Kimberland Meadows Property Owners Association of which Bank America Properties - I is the largest shareholder.) BAP-I owns outright a portion of SWSWSW and SESWSW.

We are not irrigating on these SEC. 12 lands but we would like to change the point of diversion to the same point as our other Little Salmon rights and increase our allowable irrigated acreage to 81. Please advise me how to handle all these additional lands and rights as noted above.

In regard to permit # 78-7262 I am a little confused. It is academic because we have not put the water to beneficial use nor do we expect to in the foreseeable future. The well produced cold water instead of hot. It is artesian and has great capacity but is too remote for practical use. I would, however, like to know how you can have more than one point diversion for a well?

I am preparing the other water right claims following your guidelines. I do not agree with you on all of the items, but we should be able to resolve them when they are finalized. I will draft the claims in final form and then if OK with you I will visit your office to go over the changes.

Sincerely yours,


Richard C. Cowdery

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OCT 05 1992



KIMBERLAND MEADOWS

BANK AMERICA PROPERTIES-I

A SIMPCO LANDS
DEVELOPMENT

3 2

T20N, R1E

35 36
2 1

NOT RECORDED

PHASE 1

PHASE 2

NOT RECORDED

NOW OWNED
BY
KIMBERLAND
STATE
-OR-
(BANK AMER.
PROPERTIES-I)

PHASE 3

PATIO HOME
SITES

P A R K

LEWIS
CREEK

LEGEND

- PROPERTY BOUNDARY
- PHASE BOUNDARY
- LOT BOUNDARY
- PROPERTY CORNER

10 11
15 14

T19N, R1E

11 12
14 13

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OCT 05 1992

NEW MEADOWS - 24 JUL 92

March 30, 1988

Bank America Properties #1
Attn: Richard Cowdery
P.O. Drawer C
New Meadows, ID 83654

Dear Mr. Cowdery:

Enclosed are several Rough Draft Adjudication Claims completed based on the latest information contained in the water right files. The adjudication claims for Water Right No.'s 78-0142B, 78-0143B, and 78-0144B were completed based on the application for transfer recently submitted.

As we discussed by phone, the application for transfer will not be necessary due to the adjudication claims filing now taking place in Adams County. The adjudication claims can be filed showing changes in the water rights without a transfer being filed. The \$50 filing fee will be applied to the adjudication claims once they are finalized.

Claim No.'s 78-7173, 78-7177, and 78-7238 were completed based on Steve Lester's field examination conducted on September 16, 1987. Please note that Claim No. 78-7262 covers a permitted water right upon which proof of beneficial use has not been submitted. If this permit will be developed and proof filed on or before the proof due date, August 1, 1989, then the adjudication claim can be filed now. However, if you have not and will not develop this permit, then no claim should be submitted.

I noticed in the documents submitted with the application for transfer, an assignment was included which assigned several water rights from Simpcos Lands to BA Properties, Inc.. Most of these rights have adjudication claims enclosed, except for Water Right No.'s 78-0142A, 78-0143A, 78-0144A and Permit No. 78-7106. Water Right No.'s 78-0142A, 78-0143A, and 78-0144A cover the lands that remained after Transfer No. 3183 was filed and approved to change a portion of the original water rights. These remaining lands are located within the NESW, NWSW, Sec. 12; NWNW, SWNW, NWSW, SWSW, Sec. 1; NENE, SENE, Sec. 2, Twp. 19N, Rge. 1E, and the NESE, SESE, Sec. 35, Twp. 20N, Rge. 1E for 380 acres. If BA Properties, Inc. do own these remaining lands, then adjudication claims will need to be filed on these rights also. The portions that were transferred are now numbered as 78-0142B, 78-0143B, and 78-0144B, which have adjudication claims enclosed as explained in paragraph one. Permit No. 78-7106, was also listed on this assignment document. However, it appears that this assignment was not submitted to our Department on this permit since the permit holder of record, Campbell Ranches, relinquished this right on November 10, 1987, due to no development of the right having been started or completed. Enclosed are copies of our correspondence and relinquishment form filed by Steve Campbell.

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OCT 05 1992

Enclosed are copies of other licensed rights found in your area using the place of use report also enclosed. These licenses need to be reviewed by you to see whether BA Properties, Inc. owns the land and is using the water rights. The best way to be sure that all of the water rights are re-filed on under this adjudication is to either send in or bring in a legal description of all of the lands covered by your company for Kimberland Meadows and we can research the water rights. At this point I have used the map prepared by Steve Lester for the field examinations on 78-7173, 78-7177 and 78-7238. Some lands, however, may not have been included on this map.

The rough draft adjudication claims enclosed need to be reviewed carefully, and if any changes are required, feel free to make them on these claim forms. Then return the claims to me and finalized claims will be completed. When these finalized claims are returned to you, your signature before a notary public will be needed and the claim forms returned with the following filing fees: Water Right No.'s 78-0142B & 78-0143B are being filed on one claim form since both priority dates are the same for a fee of \$128(\$50 flat fee plus \$1/acre for 78 acres), 78-0144B, 78-7173, 78-7177, and 78-7238 for a fee of \$50 each(\$50 flat fee only since no fee can be charged for the same acres on more than one claim), and Permit No. 78-7262 for a fee of \$150(\$50 flat fee plus \$75 for .75 cfs heating and \$25 for .25 cfs recreation use), for a total of \$478.

The closing date for filing adjudication claims in Adams County is June 8, 1988, therefore, the legal description of all the lands covered by your company for Kimberland Meadows should be submitted at your earliest convenience in order for any other claims to be completed and submitted timely. Please feel free to contact me if you have any questions concerning the enclosed claims or any portion of this letter.

Sincerely,

JAN SHURTE
Sr. Water Resource Agent

JS:j
Enclosures

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OCT 05 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 1301 North Orchard Street Boise, Idaho 83706-2237 • (208) 334-4440

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

March 4, 1988

Hansen Surf Boards
P. O. Box 806
Encinitas, CA 92024
Attn: Marie

Dear Marie:

We have received from our water allocation section, your request for claim forms to file your Snake River Basin Adjudication claim. Based on what Mrs. Garrett found from her research, I am sending you instructions and four copies of the claim forms for non-domestic use, one for each claim her research found. I am also sending you a form for domestic use, in case there is a domestic well on the property. I am also enclosing a brochure we have prepared about the Snake River Basin Adjudication. After the claim is ready to file, you may keep the yellow copy for your records and send us the original, along with your filing fees.

If there is any way possible, we strongly recommend that you come into our office in Boise. We have trained staff available to answer any questions you might have and to enter the claims electronically. I think you will find this to be much easier since your water right does not show a point of diversion and several other pertinent items. I realize that this would be a great inconvenience to you due to the distance involved, but when you consider how important your water right is, it makes sense to do everything you can to protect it.

If I can be of further help, please do not hesitate to contact me at (208) 334-7931.

Sincerely,

Dena Billups, Secretary
Adjudication Bureau

DB
Enclosures(6)

Form A + mist
" B + "

Bart's Research

(Comm. notice
info. Card)

MICROFILMED

OCT 05 1992

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Bank America Properties #1 Phone (208) 347-2162Post Office address P.O. Drawer C New Meadows, Idaho 83654

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Add Storage
2. Describe the reason for the proposed changes To cover all acreage needing irrigation and to provide for storage and irrigation from storage. To allow more efficient pumping and irrigation processes and to provide recreation. And to provide more accurate description of point of use.

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

- | 1. Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|-----------------|----------|--------------------|---------------|---------------|
| 78-0142 B | 05-15-06 | 0.52 CFS | irrigation | 3/1 to 7/1 |
| 78-0143 B | 05-15-06 | 0.33 CFS | irrigation | 7/2 to 12/1 |
| 78-0144 B | 06-15-20 | 0.64 CFS | irrigation | 4/1 to 7/1 |
| 78-0144 B | 06-15-20 | 0.40 CFS | irrigation | 7/2 to 11/1 |
2. Total amount of water being transferred _____ cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Little Salmon River tributary to Salmon River
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SW		1	19N	1E	Adams	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
19N	1E	2																1	1
19N	1E	2															8		8
19N	1E	11	20	11															31
19N	1E	11			4	13													17
19N	1E	11												10	8				18
19N	1E	1											2						

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OCT 05 1992

NOTE - FEE TRANSFERRED TO 178-0144B Total acres 81

PART 1**6. General Information:**

a. Description of diversion system Pump and pipe line to storage pond about 19.6 ACFT. Then
to irrigation. Pond is stocked by Idaho Dept. of Fish & Game and is open to public
recreation.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes No No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

No affect as this more accurately discribes our current irrigation program.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No.

And said application is hereby , subject to the following limitations and conditions:

Witness my hand this day of , 19 .

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

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

CEMALI FROM

000120710

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 78-0143-B Decreed to Gustav Meyer
in case of Gustav Meyer vs. J.G. Berry ET AL
dated 1/9/31 in 7th Judicial Dist. county of Adams
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

3. Source of water Little Salmon River tributary to Salmon River

4. Date or priority 05-15-06

5. Water is used for the following purpose:

amount .975 CFS for irrigation purposes from 7/1 to 12/1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

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

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SW		1	19N	1E	Adams	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼			
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼
19N	1E	2												
19N	1E	2												
19N	1E	11	20	11										
19N	1E	11			4	13								17
19N	1E	11												18
19N	1E	11												18
19N	1E	1												18

SESE
W
SESW

Total acres 81

9. Describe any other water rights used for the same purpose as described above Ground water rights.

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OCT 05 1997

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 78-0144 B Decreed to Gustav Meyer, Circle C Ranch
in case of Gustav Meyer vs. Berry, Carr, Glenn, Circle C
dated 1/9/31 in 7th Judicial Dist. county of Adams
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice

☒ Warranty Deed

☐ Other _____

3. Source of water Little Salmon River tributary to Salmon River

4. Date or priority 06-15-20

5. Water is used for the following purpose:

amount 0.64 CFS for irrigation purposes from 4/1 to 7/1
(cfs/ac-ft)
amount 0.40 CFS for " purposes from 7/2 to 11/1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

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

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SW		1	19N	1E	Adams	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
19N	1E	2																1	1
19N	1E	22														8			8
19N	1E	11	20	11															31
19N	1E	11			4	13													17
19N	1E	11													10	8			18
19N	1E	11															1	3	4
19N	1E	1															2		2

Total acres 81

9. Describe any other water rights used for the same purpose as described above

Ground Water

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OCT 05 1992

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

No _____

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

600 2 0 100

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 78-0142 B Decreed to Gustav Meyer
in case of Gustav Meyer vs. J.G. Berry ET AL
dated 1/9/31 in 7th Judicial Dist. county of Adams
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

3. Source of water Little Salmon River - Lewis Cr. tributary to Salmon River

4. Date or priority 05-15-06

5. Water is used for the following purpose:

amount 1.5555 CFS for irrigation purposes from 3/1 to 7/1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

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

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SW		1	19N	1E	Adams	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
19N	1E	2																1	1
19N	1E	2															8		8
19N	1E	11																	31
19N	1E	11																	17
19N	1E	11													10	8			18
19N	1E	11															1	3	4
19N	1E	1															2		81

Total acres _____

9. Describe any other water rights used for the same purpose as described above Ground water rights

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

No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

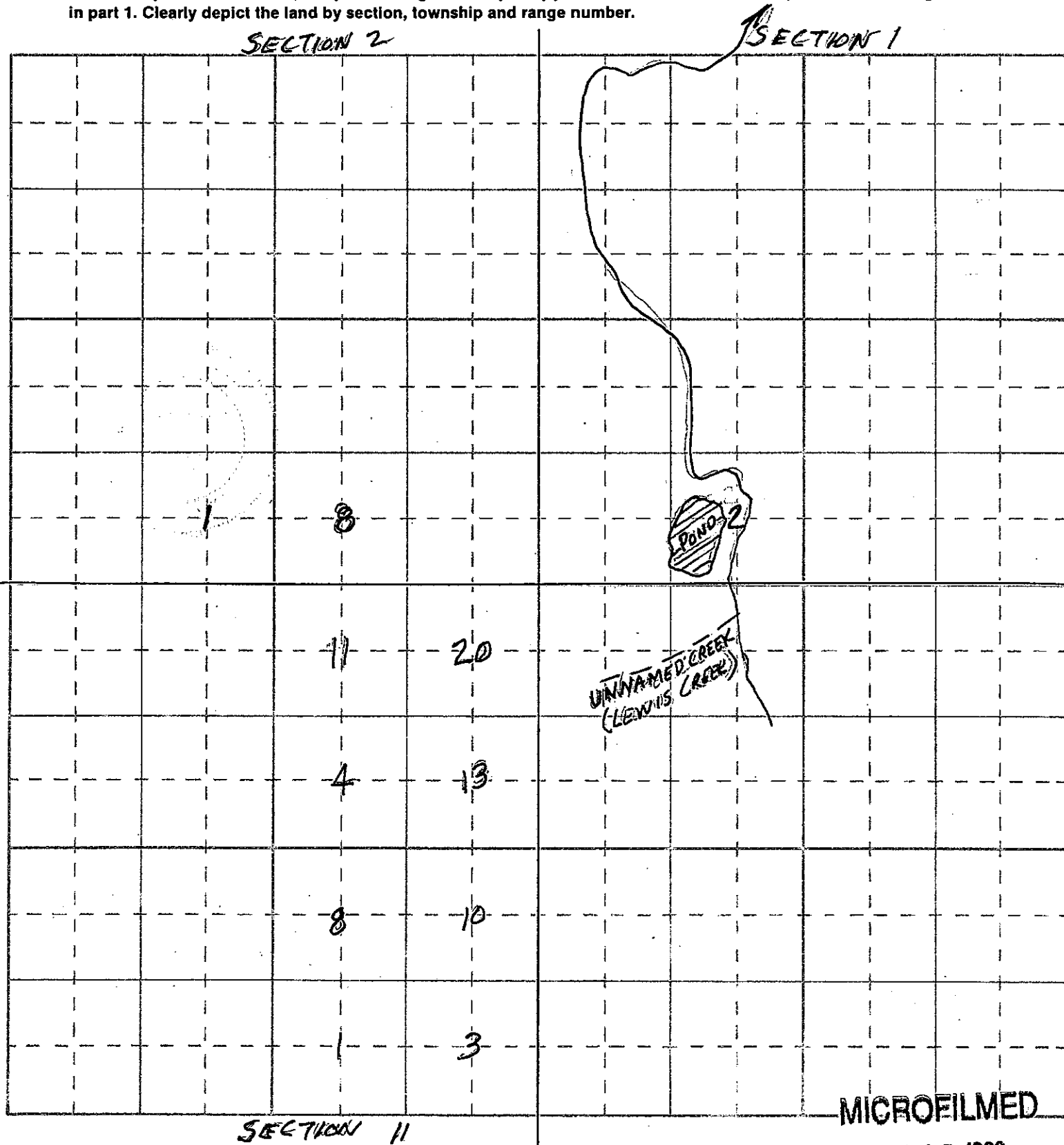
Total acres _____

RECEIVED

SEP 20 1999

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

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

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SCALE: 2 inches equal 1 mile. Draw plan in ink.

OCT 05 1992

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

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

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

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

NONE

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

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

Subscribed and sworn to before me this

23rd

day of

February

, 19

88

(Notary Public)

My commission expires

August 12, 1993**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments

Received by jp Date 2/26/88

Protest filed by _____

Prelim. check by _____ Fee _____

Receipted by jp Date 2/26/88Published in Adams County Leader

Copies of protest forwarded by _____

Pub. dates _____

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☐ approval ☐ denial

_____ rec'd. _____

by _____

Copy of transfer sent to lien holder _____



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 NORTH ORCHARD
BOISE, ID 83706-2237
(208) 334-7900

Date March 2, 1988

Name Hansen Surf Boards Attn. Marie

Address P. O. Box 806, Encinitas, CA 92024

No. of
Copies

Materials

Cost

8	computer report 78-0142/0143/7263A 78-2018	\$ 4.00
TOTAL		\$ 4.00

Please find enclosed the form(s) and/or information you requested. The charge, if any, is indicated above.

If we may be of further assistance, please contact us.

Sincerely,

Roberta Garrett

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OCT 05 1992