

 **COPY**

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DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA	)	Subcase No. <u>84-12261</u>
	)	(Insert Water Right Number)
	)	
	)	STANDARD FORM 4
Case No. 39576	)	
	)	MOTION TO FILE:
	)	☒ LATE NOTICE OF CLAIM
	)	☐ AMENDED NOTICE OF CLAIM
_____	)	

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a **separate form for each** late or amended Notice of Claim.

This form has been adopted by the court in *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

Attachment 1

Statement of Claimed Water Purposes and Quantity

☒ I have read *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996).

My name is State of Idaho, Department of Lands (hereinafter referred to as the "IDL")

My address is 300 North 6th Street, Suite 103, P.O. Box 83720, Boise, Idaho 83720-0050

My phone number is: Work (208) 334-0200 Home Not Applicable

I am an attorney representing the IDL

My name is Tyson K. Nelson, Deputy Attorney General

My address is JRW Building, Second Floor, 700 West State Street, P.O. Box 44449, Boise, Idaho 83711-4449

My phone number is (208) 334-2400

MOTION TO FILE LATE NOTICE OF CLAIM

A Motion to File a Late Notice of Claim will require a hearing before the Presiding Judge.

☒ I did not file a Notice of Claim to the use of water in the SRBA because:

The IDL uses water from ponds located on State land in northern Idaho for grazing and forest practices. IDL's forest practice uses include fire suppression, training for fire suppression, pesticide applications, and dust abatement related to timber harvest activities. IDL leases State land for grazing, and the lessees use the ponds for stockwater. The ponds are typically small in size and geographically dispersed across parcels of State land. IDL's process to accurately inventory the ponds was delayed due to the large volume of ponds and the dispersed locations of the ponds.

Legal questions also delayed IDL's filing of a Notice of Claim for these uses. Idaho Code Section 42-201(3) authorizes the diversion of water "from a natural watercourse and use[] at any time, with or without a water right" for two categories of water use. First, water may be used to "extinguish an existing fire on private or public lands, structures, or equipment, or to prevent an existing fire from spreading to private or public lands, structures or equipment endangered by an existing fire." Idaho Code § 42-201(3)(a). Second, water may be used for forest practices as defined by Idaho Code Section 38-1303(1) and dust abatement. Idaho Code § 42-201(3)(b). Idaho Code Section 38-1303(1) defines forest practice to mean

(a) the harvesting of forest tree species; (b) road construction associated with harvesting forest tree species; (c) reforestation; (d) use of chemicals

or fertilizers for the purpose of growing or managing forest tree species; (e) the management of slashings resulting from harvest, management or improvement of forest tree species; or (f) the prompt salvage of dead or dying timber or timber that is threatened by insects, disease, windthrow, fire or extremes of weather.

IDL was uncertain whether Idaho Code Section 42-201(3) would apply to all of its uses of water from the ponds. Ultimately, IDL concluded it would file a claim to provide certainty for its continued use of the ponds on State lands.

- ☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.
- ☒ I am providing legal and factual documentation for my claimed use of water. You must described these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of your Notice of Claim.)

IDL's supporting documentation is included with the Notice of Claim, attached hereto. The Notice of Claim has three (3) attachments: Attachment 1 is a statement of claimed water purposes and quantity, Attachment 2 is a map of the pond locations, and Attachment 3 is Michael E. Denney's affidavit for proof of use with supporting evidence attached.

I have attached:

- ☒ A fully completed Notice of Claim (available from IDWR) is attached.
- ☒ A claim filing fee and a late claim fee for those claims other than domestic or stock water use for which a notice of claim was filed. To determine this amount, contact IDWR at (800) 451-4129. IDWR has advised that the claim filing fee for this notice of claim is \$154.00. IDL requests that IDWR initiate an SA-50 Interagency Billing Statement to bill IDL for the fees (see attached letter).

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on Tuesday, December 20, 2011, at 1:30 p.m.
at the SRBA courthouse, 253 Third Avenue, Twin Falls, Idaho.

**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 84-12261

Date Received: _____

Receipt No: _____

Received By: _____

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

Please type or print clearly

1. Name of Claimant (s) STATE OF IDAHO, DEPARTMENT OF LANDS Phone (208) 334-0200

Mailing Address PO BOX 83720 BOISE ID ZIP 83720-0050
Street or Box City State

2. Date of Priority (Only one (1) per claim) 09/08/1968
Month Day Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other (✓) (a) UNNAMED STREAM
which is tributary to (b) WHISKEY CREEK

4. a. Location of Point of Diversion is: Township 37N, Range 02E, Section 14,
SE, 1/4 of SW, 1/4 Govt. Lot _____, BM., County of CLEARWATER

Parcel (PIN) no. _____

Additional points of diversion if any: SAME AS ABOVE

If available, GPS Coordinates 46.54609118 -116.1722718 (40-17) ; 46.54402053 -116.1727952 (40-18)

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

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

Govt. Lot _____, BM., County of _____

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

Govt. Lot _____, BM., 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. _____

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6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

For SEE ATTACHED purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) 390.94 (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) INDUSTRIAL USE FOR ANY FOREST MANAGEMENT ACTIVITY

9. 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.

Twn	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
37N	02E	14	X		X	X					X	X	X	X	X	X	X		

Parcel (PIN) no(s) _____

Total number of acres irrigated _____

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

11. Do you own the property listed above as place of use? Yes (✓) No ()

If your answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

_____ or None ()

13. Remarks: _____

Last Name DEPARTMENT OF LANDS

Identification No. 84-12261

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14. Basis of Claim (Check One) Beneficial Use (✓) Posted Notice () License () Permit () Decree ()

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number _____

15. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices 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: 3

For Individuals: I/We do solemnly swear or affirm under penalty of perjury 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 under penalty of perjury that I am

AREA MANAGER of IDAHO DEPARTMENT OF LANDS,
Title Organization

that I have signed the foregoing document in the space below as

AREA MANAGER of IDAHO DEPARTMENT OF LANDS,
Title Organization

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

X Signature of Authorized Agent Rhett McKnight Date 8/17/11

Title and Organization Area Manager Idaho Dept of Lands

16. Notice of Appearance:

Notice is hereby given that I, Tyson K. Nelson, will be acting as attorney at law of 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 T Nelson Date 9/26/2011

Address Office of the Attorney General
P.O. Box 44449, Boise, ID 83711-4449

Last Name IDAHO DEPT. OF LANDS

Identification No. 84-12261

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VERIFICATION (Must be completed)

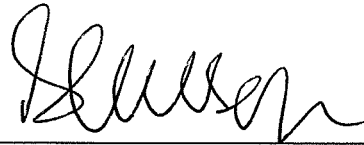
State of Idaho

County of Ada

Tyson K. Nelson, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined I.C. §§42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

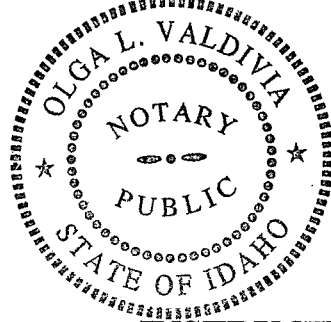
Signature of person filing motion



Attorney signing in representative capacity

Subscribed and sworn to before me on September 28, 2011

(Insert Date)





Notary Public for

Residing at: Dore

My Commission expires: 2/8/2012

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on this 28th day of September 2011, I caused to be served the original and/or copy of this form on the following persons by the indicated method:

1. Original to:

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

- ☒ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☐ Facsimile: (208) 736-2121
☐ Statehouse Mail

2. Copies to

State of Idaho,
Department of Lands
300 N. 6th St.
P.O. Box 83720
Boise, ID 83720-0050

- ☐ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☐ Facsimile:
☒ Statehouse Mail

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

- ☒ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☐ Facsimile: (303) 312-7379
☐ Statehouse Mail

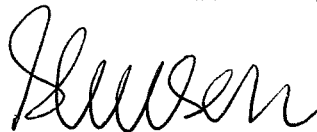
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

- ☐ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☐ Facsimile: _____
☒ Statehouse Mail

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

Not Applicable

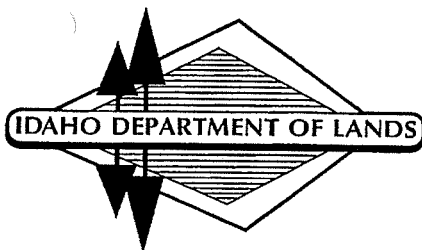
3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.
(Insert Names/address of parties)



Tyson K. Nelson
Deputy Attorney General

**MICA SUPERVISORY
AREA**

3258 West Industrial Loop
Coeur d'Alene ID 83815
Phone (208) 769-1577
Fax (208) 769-1597



TOM SCHULTS, DIRECTOR
EQUAL OPPORTUNITY EMPLOYER

STATE BOARD OF LAND COMMISSIONERS

C.L. "Butch" Otter, Governor
Ben Ysursa, Secretary of State
Lawrence G. Wasden, Attorney General
Donna M. Jones, State Controller
Tom Luna, Sup't of Public Instruction

September 26, 2011

Idaho Department of Water Resources
Attn: Craig Saxton
Idaho Water Center
322 East Front Street
P.O. Box 83720
Boise, Idaho 83720-0098

Re: Fee Payment for Claim No. 84-12261

Dear Mr. Saxton:

The Idaho Department of Lands ("IDL") has prepared a late Notice of Claim for the above-referenced water right claim and will file a Motion to File Late Notice of Claim in the SRBA Court. In the event the SRBA Court grants IDL's motion, IDL requests that the Idaho Department of Water Resources initiate a SA-50 Interagency Billing Statement to bill IDL for the claim filing fee and the late claim fee.

If you have any questions, feel free to contact me at mdenney@idl.idaho.gov or 208-769-1577. Thank you for your assistance in this matter.

Sincerely,

Michael R. Denney
Area Manager- Mica

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Digital Land Records Report

Township Range	Section	Activity	Inst Number	Remarks	Description	Ownership
37N	02E 03	DIRECT SALES	401680	Deyo Brothers, Inc. - Loseth Direct. Instrument date 6/10/2010, Expires 12/10/2010. Cancelled 9/28/2010.	Parts	State Hospital South
		GRAZING LEASE	4070	Cancelled 3-26-1996		State Hospital South
		TIMBER SALE	1056	Potlatch Forests, Inc. - Cancelled 12-16-1955		State Hospital South
			2204	Konkolville Lumber Co. - North Canyon - Cancelled 1-18-1980		State Hospital South
	04	GRAZING LEASE	4070	Cancelled 3-26-1996		State Hospital South
		TIMBER SALE	1056	Potlatch Forests, Inc. - Cancelled 12-16-1955		State Hospital South
			2204	Konkolville Lumber Co. - North Canyon - Cancelled 1-18-1980		State Hospital South
	05	DEED	9299	CS 22046 All Minerals Reserved.		State Hospital South
	16	GRAZING LEASE	4070	Cancelled 3-26-1996		State Hospital South
			4593	Cancelled 5-17-1999		Public Schools
		TIMBER SALE	1105	Riverside Lumber Co. - Cancelled 5-16-1955		Public Schools
			1352	Riverside Lumber Co. - Cancelled 12-15-1960		Public Schools
					Parts S2NE, NWNE, S2NW & N2NW	Public Schools
	19	GRAZING LEASE	2450	Silvicultural Enterprises - Tie Creek - Cancelled 12-8-1987		Normal School
			4070	Cancelled 3-26-1996		General Fund
	23	DEED	13774	Sold to Richard and Marlene Johnston - Subject to all existing rights, encumbrances, rights-of-way and easements of record. - see AD417		
				Property sold to Idaho Department of Lands under Acquisition Deed 417 signed 8/27/2009 and recorded 9/3/2009. The legal acres listed here do not match the acres in the deed (0.944 acres) due to a discrepancy between the acquired and deeded acres.		Dept. of F & G
	28	DEED	AD417	CS 23868 (Surplus - St. Hospital North Farm) All Minerals Reserved.		Dept. of H & W
	29	DEED	10338	CS 23868 (Surplus - St. Hospital North Farm) All Minerals Reserved.		Dept. of H & W
	33	DEED	10338	CS 23868 (Surplus - St. Hospital North Farm) All Minerals Reserved.		Dept. of H & W
					Dataload April 2009	Public Schools
	36	DIRECT SALES	401610	BRENT RICHARDSON ENTERPRISES - DEERS DANDY DIRECT - Cancelled 10/11/2007		Public Schools
			401638	BRENT RICHARDSON ENTERPRISES - BUGGY RIDE - Cancelled 09/19/2008		Public Schools
		GRAZING LEASE	4070	Cancelled 3-26-1996		Public Schools

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Digital Land Records Report

Township	Range	Section	Activity	Inst Number	Remarks	Description	Ownership
37N	02E	36	SALVAGE SALES	400392	POTLATCH FOREST PRODUCTS CORP - DEER OSR - Cancelled 10/03/2006	Datload April 2009	Public Schools
				400396	Deyo Brothers Inc. - Deer Point Salvage - Instrument date 8/3/2009 - Cancelled 5/26/2011.		Public Schools
			TIMBER SALE	1283	Potlatch Forests, Inc. - Cancelled 9-19-1956		Public Schools
				2422	L.D. McFarland Co. - Deep Creek Poles - Cancelled 7-28-1986		Public Schools
				2691	Kooskia, Inc. - Deer Creek Road - Assigned to Konkolville Lumber - Cancelled 11-15-1995		Public Schools
				403359	Potlatch Corp. - Deer Point - Cancelled 1-21-2005	Parts	Public Schools
				476	B. J. Carney & Co. - Cancelled 7-27-1943		Public Schools
				716	Potlatch Forests, Inc. - Cancelled 3-24-1947		Public Schools

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PURPOSE	FROM	TO	CFS	AF
STOCKWATER STORAGE	1-1	12-31		3.95
STOCKWATER FROM STORAGE	1-1	12-31		3.95
FIRE PROTECTION STORAGE	1-1	12-31		390.94
FIRE PROTECTION FROM STORAGE	1-1	12-31		390.94
INDUSTRIAL STORAGE	1-1	12-31		390.94
INDUSTRIAL FROM STORAGE	1-1	12-31		390.94

STOCK

NONSTOCK

POND #	POND SIZE	EVAP	USAGE	=A/F	GPM TO AF
40-17	1.27	+.77	+.2=	2.24	195.47
40-18	.94	+.57	+.2=	<u>1.71</u>	<u>195.47</u>
				3.95	390.94

Attachment 2

Map of Ponds

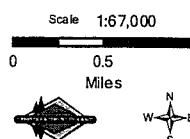


Legend

- △ IDL Pond
- ⚡ Historical Fires
- All Streams
- Timber Sales
- IDL Endowment Ownership
- IDWR Administrative Boundaries
- G1234 IDL Grazing Leases

Basin 84
Pond 40-17, 40-18

09/01/2011



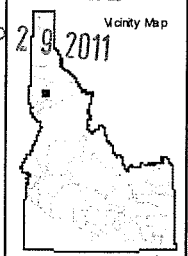
Map Notes

Projection: IDTM 83
Map Notes and Data Sources:
IDL Ownership current as of map date.
IDL Pond data 5/12/2011
Historical Fires Pre 1984
2004 NAP Imagery

Disclaimer:
This map has been compiled using the best information available to the Idaho Department of Lands at the time and may be updated and/or revised without notice. In situations where known accuracy and completeness is required, the user has the responsibility to verify the accuracy of the map and the underlying data sources.

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DPL-C 39B-34

9-8-68

Pond 40-17
T37N R2E
Sec 14 SW $\frac{1}{4}$

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SL. 7

38-36

DPL-C

1:15840

12"

2:00

9-8-68

Pond 40-18
T37N R2E
Sec 14 SW 1/4

Attachment 3

Affidavit for Proof of Use

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Idaho Department of Lands

Affidavit for Proof of Use

I reviewed Department Lands Records to determine time of use of water sources for dust abatement, fire control, and grazing.

Dust abatement is commonly applied to provide for safe access and to reduce road damage during timber sale activities and wildfires. Past sales and wildfires are shown on the map included in the application.

I also found in speaking with Fire Wardens and found that that the pond locations are inspected and maintained every two to three years to ensure access by fire engines, helicopters, water trucks, and portable pumps. They are used for fire training during these inspections and at other planned times.

This information is intended as supplemental proof of use following the earliest date found in our research as to when the pond was constructed for these and other uses.

Pond number(s) 40-17 and 40-18 were constructed no later than the date of the attached photograph showing the ponds location and was used as early as 9-8-1968, during the timber sales shown in the attached evidence.

The undersigned claimant further certifies that all information contained in the affidavit is true and correct, as of the date shown, and the signature below is his true and legal signature.

Michael R. Denney

September 8, 2011

Name (Printed)

Date

Michael R. Denney

Signature

3258 W Industrial Loop, Coeur d' Alene, Idaho 83815

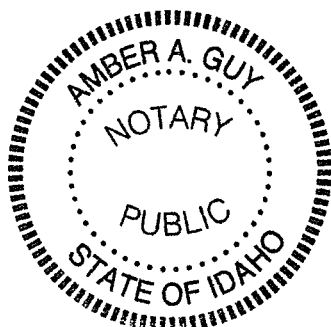
Address, City, State, Zip Code

Subscribed and sworn before me the 8th day of September, year 2011, County of Kootenai, State of Idaho.

My Commission Expires 1/15/2015
Amber A. Guy

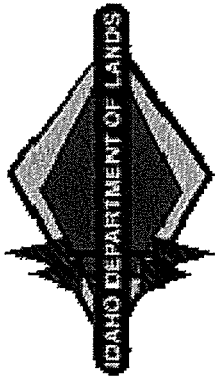
Notary Public's Signature

SEAL



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SL 2



Activity Report

Township	Range	Section	Ownership	Activity Type	Instrument #	Remarks	Search
37N	02E		All	All			

Town / Rang	Section	Sequenc	Ownership	Activity	Instrument Numb	Acquired Acr	Construction Sale Ac	Remaining State Acr
37N 02E	01	10	No Endowment - Dat.	ACQUIRED EASEMENT	32	0.00	0.00	0.00

Description: N/A

Remarks: Road esmt. to state from Royce G. Cox

Town / Rang	Section	Sequenc	Ownership	Activity	Instrument Numb	Acquired Acr	Construction Sale Ac	Remaining State Acr
37N 02E	01	20	No Endowment - Dat.	ACQUIRED EASEMENT	33	0.00	0.00	0.00

Description:

Remarks: Road esmt. to state from George C. Walter

Town / Rang	Section	Sequenc	Ownership	Activity	Instrument Numb	Acquired Acr	Construction Sale Ac	Remaining State Acr
37N 02E	01	30	No Endowment - Dat.	TEMPORARY PERMIT	0757	0.00	0.00	0.00

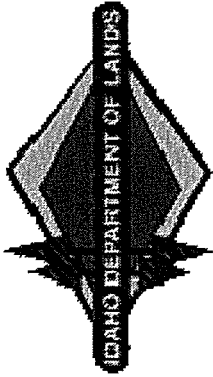
Description: Parts

Remarks: Wray Harris - Road use - Cancelled 8-21-1995

Town / Rang	Section	Sequenc	Ownership	Activity	Instrument Numb	Acquired Acr	Construction Sale Ac	Remaining State Acr
37N 02E	01	40	No Endowment - Dat.	TEMPORARY PERMIT	400746	0.00	0.00	0.00

Description:

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Remarks: Deyo Brothers, Inc. - Road use - Cancelled 7/23/2008

Town / Range / Section	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E 01	Public Schools	ACQUISITION	355	160.00	0.00	160.00

Description:

Remarks: Patriot Investments, LLC granted these lands to the State of Idaho as part of the Latour Creek Land Exchange dated 2-13-2003.. The grantor reserves unto itself, its successors and assigns forever, rights-of-way on all designated access roads, for road access over and across Patriot lands being deeded in this exchange in order to provide and maintain access to Patriot lands being retained by the grantor. Also reserved right, title and interest of Meridian Oil Inc. and Burlington Resources as disclosed by the County Tax Rolls.

Town / Range / Section	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E 02	No Endowment - ST	ACQUIRED EASEMENT	32	0.00	0.00	0.00

Description: N/A

Remarks: Road esmt. to state from Royce G. Cox

Town / Range / Section	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E 02	No Endowment - ST	TEMPORARY PERMIT	0757	0.00	0.00	0.00

Description:

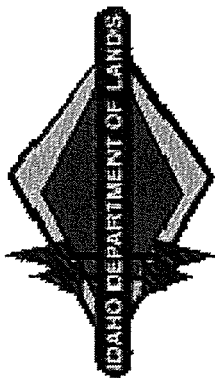
Remarks: Wray Harris - Road use - Cancelled 8-21-1995

Town / Range / Section	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E 02	No Endowment - ST	TEMPORARY PERMIT	400746	0.00	0.00	0.00

Description:

Remarks: Deyo Brothers, Inc. - Road use - Cancelled 7/23/2008

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Town / Range / Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E 03	10	State Hospital South	FORECLOSURE OF LOAN	3002	30.40	0.00	30.40

Description:

Remarks: Sheriff's Deed Foreclosure 4-2-1931

Town / Range / Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E 03	20	State Hospital South	TIMBER SALE	1056	0.00	0.00	30.40

Description:

Remarks: Potlatch Forests, Inc. - Cancelled 12-16-1955

Town / Range / Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E 03	30	State Hospital South	TIMBER SALE	2204	0.00	0.00	30.40

Description:

Remarks: Konkolville Lumber Co. - North Canyon - Cancelled 1-18-1980

Town / Range / Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E 03	40	State Hospital South	TEMPORARY PERMIT	1358	0.00	0.00	30.40

Description:

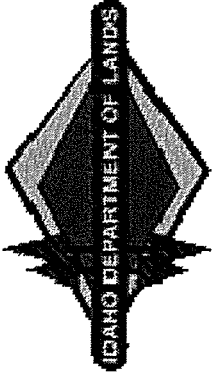
Remarks: Assigned from Patrick Shelledy & Eugene D. Ewing (Pataha Group) - Road use - Cancelled 2-16-1981

Town / Range / Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E 03	50	State Hospital South	TEMPORARY PERMIT	369	0.00	0.00	30.40

Description:

Remarks: Barham Logging - Road use - Cancelled 1-17-1982

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Town / Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	03	60	State Hospital South	GRAZING LEASE	4070	0.00	0.00	30.40

Description:

Remarks: Cancelled 3-26-1996

Town / Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	03	70	State Hospital South	TEMPORARY PERMIT	400028	0.00	0.00	30.40

Description:

Remarks: Mike Stockton- Idaho Whitetail Adventures- Hunting Guide. Original Permit Number 4-0028, issued 7/9/1999. Expires 08/31/2013.

Town / Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	03	80	State Hospital South	TEMPORARY PERMIT	400868	0.00	0.00	30.40

Description:

Remarks: Potlatch Corp. - Road use - Cancelled 8/19/2006

Town / Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	03	90	State Hospital South	TEMPORARY PERMIT	400842	0.00	0.00	30.40

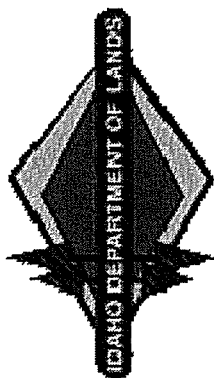
Description:

Remarks: Reggear Tree Farm - Road - Instrument date 7/14/1998, Cancelled 8/14/2008

Town / Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	03	100	State Hospital South	DIRECT SALES	401680	0.00	0.00	30.40

Description: Parts

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Remarks: Deyo Brothers, Inc. - Loseth Direct. Instrument date 6/10/2010, Expires 12/10/2010. Cancelled 9/28/2010.

Town / Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	04	10	State Hospital South	FORECLOSURE OF LOAN	3002	140.71	0.00	140.71

Description:

Remarks: Sheriff's Deed Foreclosure 4-21-1931

Town / Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	04	20	State Hospital South	TIMBER SALE	1056	0.00	0.00	140.71

Description:

Remarks: Potlatch Forests, Inc. - Cancelled 12-16-1955

Town / Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	04	30	State Hospital South	TIMBER SALE	2204	0.00	0.00	140.71

Description:

Remarks: Konkolville Lumber Co. - North Canyon - Cancelled 1-18-1980

Town / Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	04	40	State Hospital South	TEMPORARY PERMIT	1358	0.00	0.00	140.71

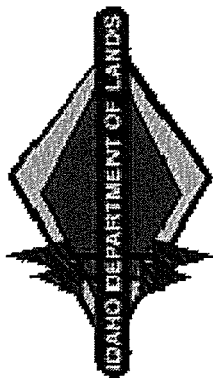
Description:

Remarks: Assigned from Patrick Shelledy & Eugene D. Ewing (Pataha Group) - Road use - Cancelled 2-16-1981

Town / Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	04	50	State Hospital South	TEMPORARY PERMIT	369	0.00	0.00	140.71

Description:

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Remarks: Barham Logging - Road use - Cancelled 1-17-1982

Town / Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	04	60	State Hospital South	TEMPORARY PERMIT	413	0.00	0.00	140.71

Description:

Remarks: Potlatch Corp. - Road use - Cancelled 11-1-1984

Town / Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	04	70	State Hospital South	GRAZING LEASE	4070	0.00	0.00	140.71

Description:

Remarks: Cancelled 3-26-1996

Town / Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	04	80	State Hospital South	TEMPORARY PERMIT	400028	0.00	0.00	140.71

Description:

Remarks: Mike Stockton- Idaho Whitetail Adventures- Hunting Guide. Original Permit Number 4-0028, issued 7/9/1999. Expires 08/31/2013.

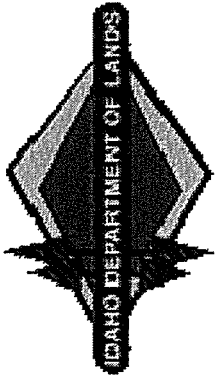
Town / Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	04	90	State Hospital South	TEMPORARY PERMIT	400720	0.00	0.00	140.71

Description:

Remarks: Carl H. Reggear - Road use. Original instrument number 4-0720, issued 10/5/1993. Expired 22/31/2008.

Town / Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	05	10	State Hospital South	FORECLOSURE OF LOAN	3003	169.67	0.00	169.67

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Description:

Remarks: Sheriff's Deed Foreclosure 4-21-1931

Town / Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	05	20	State Hospital South	DEED	9299	0.00	169.67	0.00

Description:

Remarks: CS 22046 All Minerals Reserved.

Town / Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	06	10	General Fund	ST GRANT / NAV WATER		0.00	0.00	0.00

Description: Bed of N. Fk. Clearwater River; Also Lots 5,6,9,10

Remarks:

Town / Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	07	10	General Fund	ST GRANT / NAV WATER		0.00	0.00	0.00

Description: Bed of N. Fk., Clearwater River; Also lots 6,4,10,11

Remarks:

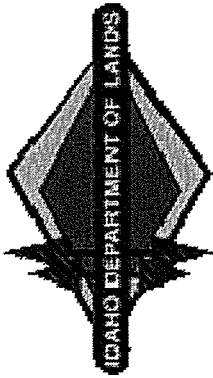
Town / Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	12	10	Public Schools	ACQUISITION	355	80.00	0.00	80.00

Description:

Remarks: Patriot Investments, LLC granted these lands to the State of Idaho as part of the Latour Creek Land Exchange.

The grantor reserves unto itself, its successors and assigns forever, rights-of-way on all designated access roads, for road access over and across Patriot lands being deeded in this exchange in order to provide and maintain access to Patriot lands being retained by the grantor. Also reserving right, title and interest of

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Meridian Oil Inc. and Burlington Resources as disclosed by the County Tax Rolls.

Town / Rang e	Section n	Sequenc e	Ownership	Activity	Instrument Numb er	Acquired Acr es	Construction Sale Ac res	Remaining State Acr es
37N 02E	13	10	Public Schools	ACQUISITION	355	80.00	0.00	80.00

Description:

Remarks: Patriot Investments, LLC granted these lands to the State of Idaho as part of the Latour Creek Land Exchange. The grantor reserves unto itself, its successors and assigns forever, rights-of-way on all designated access roads, for road access over and across Patriot lands being deeded in this exchange in order to provide and maintain access to Patriot lands being retained by the grantor. Also reserving right, title and interest of Meridian Oil Inc. and Burlington Resources as disclosed by the County Tax Rolls.

Town / Rang e	Section n	Sequenc e	Ownership	Activity	Instrument Numb er	Acquired Acr es	Construction Sale Ac res	Remaining State Acr es
37N 02E	14	10	Public Schools	ACQUISITION	355	400.00	0.00	400.00

Description:

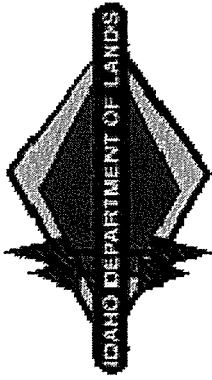
Remarks: Patriot Investments, LLC granted these lands to the State of Idaho as part of the Latour Creek Land Exchange. The grantor reserves unto itself, its successors and assigns forever, rights-of-way on all designated access roads, for road access over and across Patriot lands being deeded in this exchange in order to provide and maintain access to Patriot lands being retained by the grantor. Also reserving right, title and interest of Meridian Oil Inc. and Burlington Resources as disclosed by the County Tax Rolls.

Town / Rang e	Section n	Sequenc e	Ownership	Activity	Instrument Numb er	Acquired Acr es	Construction Sale Ac res	Remaining State Acr es
37N 02E	14	20	Public Schools	EASEMENT	6561	0.00	0.00	400.00

Description:

Remarks: Reciprocal road easement (see acquired easements 743 and 744) from state to Kenneth W. Miller Testamentary Trust, Laurella Miller, Allen Miller and Robert Mosteck, Trustees for using and maintaining a road - Instrument date 4/14/2008

Town / Rang e	Section n	Sequenc e	Ownership	Activity	Instrument Numb er	Acquired Acr es	Construction Sale Ac res	Remaining State Acr es
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Section	Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	15	10	General Fund	ACQUIRED EASEMENT	720	0.00	0.00	0.00	0.00

Description: Pt. S2SW

Remarks: Road esmt from Fitzsimmons Family Trust, Norman and Barbara Fitzsimmons

Section	Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	16	10	Public Schools	STATE GRANT		640.00	0.00	0.00	640.00

Description:

Remarks: Date of Grant 3-15-1900

Section	Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	16	20	Public Schools	TIMBER SALE	1105	0.00	0.00	0.00	640.00

Description:

Remarks: Riverside Lumber Co. - Cancelled 5-16-1955

Section	Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	16	30	Public Schools	TIMBER SALE	1352	0.00	0.00	0.00	640.00

Description:

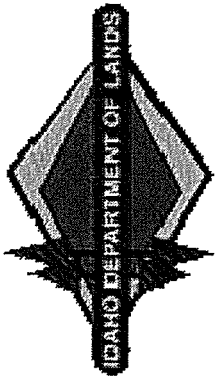
Remarks: Riverside Lumber Co. - Cancelled 12-15-1960

Section	Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	16	40	Public Schools	TIMBER SALE	2450	0.00	0.00	0.00	640.00

Description: Parts S2NE, NWNE, S2NW & N2NW

Remarks: Silvicultural Enterprises - Tie Creek - Cancelled 12-8-1987

Section	Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
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37N 02E	16	50	Public Schools	GRAZING LEASE	4070	0.00	0.00	640.00
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Description:

Remarks: Cancelled 3-26-1996

Town / Rang e	Sectio n	Sequenc e	Ownership	Activity	Instrument Numb er	Acquired Acr es	Construction Sale Ac res	Remaining State Acr es
37N 02E	16	60	Public Schools	GRAZING LEASE	4593	0.00	0.00	640.00

Description:

Remarks: Cancelled 5-17-1999

Town / Rang e	Sectio n	Sequenc e	Ownership	Activity	Instrument Numb er	Acquired Acr es	Construction Sale Ac res	Remaining State Acr es
37N 02E	18	10	General Fund	ST GRANT / NAV WATER		0.00	0.00	0.00

Description: Bed of N. Fk. Clearwater River; Also Lot 2

Remarks:

Town / Rang e	Sectio n	Sequenc e	Ownership	Activity	Instrument Numb er	Acquired Acr es	Construction Sale Ac res	Remaining State Acr es
37N 02E	19	10	Normal School	ACQUISITION 018		40.00	0.00	40.00

Description:

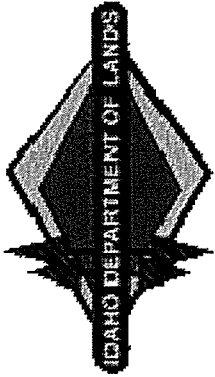
Remarks: Dworshak Land Exchange Patent No. 11-72-0018 from U.S. dated 8-16-1971 Subject to any valid interfering rights at date of exchange, reserving to the U.S. R/W for ditches & canals.

Town / Rang e	Sectio n	Sequenc e	Ownership	Activity	Instrument Numb er	Acquired Acr es	Construction Sale Ac res	Remaining State Acr es
37N 02E	19	20	Normal School	GRAZING LEASE	4070	0.00	0.00	40.00

Description:

Remarks: Cancelled 3-26-1996

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Town / Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	22	10	General Fund	ACQUIRED EASEMENT	720	0.00	0.00	0.00

Description: Pt. W2SWNE

Remarks: Road esmt. from The Fitzsimmons Family Trust, Norman and Barbara Fitzsimmons.

Town / Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	22	20	General Fund	ACQUIRED EASEMENT	719	0.00	0.00	0.00

Description: Pt. E2SWNE

Remarks: Road esmt acquired from Gordon and Virginia White.

Town / Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	23	10	Dept. of F & G	ACQUISITION	WD110830	0.99	0.00	0.99

Description: Part SENE

Remarks: Acquired by Warranty Deed dated 12-8-1975 from Alph W. & Gladys E. Johnson to Idaho Fish & Game.

Town / Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	23	10	General Fund	ACQUISITION	417	0.94	0.00	0.94

Description:

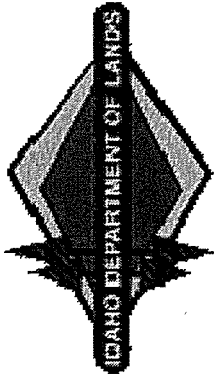
Remarks: Property acquired from Idaho Department of Fish and Game under Acquisition Deed 417 signed 8/27/2009 and recorded 9/3/2009.

Town / Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	23	20	Public Schools	ACQUISITION	355	40.00	0.00	40.00

Description:

Remarks: Patriot Investments, LLC granted these lands to the State of Idaho as part of the Latour Creek Land Exchange. The grantor reserves unto itself, its successors and assigns forever, rights-of-way on all designated access

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roads, for road access over and across Patriot lands being deeded in this exchange in order to provide and maintain access to Patriot lands being retained by the grantor. Also reserving right, title and interest of Meridian Oil Inc. and Burlington Resources as disclosed by the County Tax Rolls.

Town / Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	23	20	Dept. of F & G	DEED	AD417	0.00	0.99	0.00

Description:

Remarks: Property sold to Idaho Department of Lands under Acquisition Deed 417 signed 8/27/2009 and recorded 9/3/2009. The legal acres listed here do not match the acres in the deed (0.944 acres) due to a discrepancy between the acquired and deeded acres.

Town / Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	28	10	Dept. of H & W	ACQUISITION	XXXX	94.95	0.00	94.95

Description: Part of Lot 1 (West of Nez Perce Indian Reservation Bdry)

Remarks:

Town / Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	28	20	Dept. of H & W	DEED	10338	0.00	94.95	0.00

Description:

Remarks: CS 23868 (Surplus - St. Hospital North Farm) All Minerals Reserved.

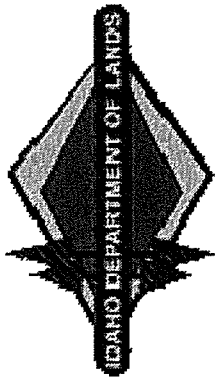
Town / Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	29	10	Dept. of H & W	ACQUISITION	XXXX	160.00	0.00	160.00

Description:

Remarks:

Town / Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
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37N 02E 29 20 Dept. of H & W DEED 10338 0.00 160.00 0.00

Description:

Remarks: CS 23868 (Surplus - St. Hospital North Farm) All Minerals Reserved.

Town / Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	33	10	Dept. of H & W	ACQUISITION XXXX	73.00	0.00	73.00	

Description: Part of Lot 3 (West of Nez Perce Indian Reservation Bdry)

Remarks:

Town / Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	33	20	Dept. of H & W	DEED	10338	0.00	73.00	0.00

Description:

Remarks: CS 23868 (Surplus - St. Hospital North Farm) All Minerals Reserved.

Town / Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	36	10	Public Schools	STATE GRANT	480.00	0.00	480.00	

Description:

Remarks: Date of Grant 3-15-1900

Town / Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	36	20	Public Schools	TIMBER SALE	476	0.00	0.00	480.00

Description:

Remarks: B. J. Carney & Co. - Cancelled 7-27-1943

Town / Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	36	30	Public Schools	TIMBER SALE	716	0.00	0.00	480.00

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Description:

Remarks: Potlatch Forests, Inc. - Cancelled 3-24-1947

Town / Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	36	40	Public Schools	TIMBER SALE	1283	0.00	0.00	480.00

Description:

Remarks: Potlatch Forests, Inc. - Cancelled 9-19-1956

Town / Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	36	50	Public Schools	TIMBER SALE	2422	0.00	0.00	480.00

Description:

Remarks: L.D. McFarland Co. - Deep Creek Poles - Cancelled 7-28-1986

Town / Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	36	60	Public Schools	TIMBER SALE	2691	0.00	0.00	480.00

Description:

Remarks: Kooskia, Inc. - Deer Creek Road - Assigned to Konkolville Lumber - Cancelled 11-15-1995

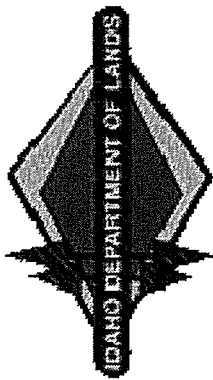
Town / Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	36	70	Public Schools	GRAZING LEASE	4070	0.00	0.00	480.00

Description:

Remarks: Cancelled 3-26-1996

Town / Range	Section	Sequence	Ownership	Activity	Instrument Number	Acquired Acres	Construction Sale Acres	Remaining State Acres
37N 02E	36	80	Public Schools	TIMBER SALE	403359	0.00	0.00	480.00

Description: Parts



Remarks: Potlatch Corp. - Deer Point - Cancelled 1-21-2005

Town / Rang e	Section n	Sequenc e	Ownership	Activity	Instrument Numb er	Acquired Acr es	Construction Sale Ac res	Remaining State Acr es
37N 02E	36	90	Public Schools	SALVAGE SALES	400392	0.00	0.00	480.00

Description: Dataload April 2009

Remarks: POTLATCH FOREST PRODUCTS CORP - DEER OSR - Cancelled 10/03/2006

Town / Rang e	Section n	Sequenc e	Ownership	Activity	Instrument Numb er	Acquired Acr es	Construction Sale Ac res	Remaining State Acr es
37N 02E	36	100	Public Schools	DIRECT SALES	401610	0.00	0.00	480.00

Description: Dataload April 2009

Remarks: BRENT RICHARDSON ENTERPRISES - DEERS DANDY DIRECT - Cancelled 10/11/2007

Town / Rang e	Section n	Sequenc e	Ownership	Activity	Instrument Numb er	Acquired Acr es	Construction Sale Ac res	Remaining State Acr es
37N 02E	36	110	Public Schools	DIRECT SALES	401638	0.00	0.00	480.00

Description: Dataload April 2009

Remarks: BRENT RICHARDSON ENTERPRISES - BUGGY RIDE - Cancelled 09/19/2008

Town / Rang e	Section n	Sequenc e	Ownership	Activity	Instrument Numb er	Acquired Acr es	Construction Sale Ac res	Remaining State Acr es
37N 02E	36	120	Public Schools	SALVAGE SALES	400396	0.00	0.00	480.00

Description:

Remarks: Deyo Brothers Inc. - Deer Point Salvage - Instrument date 8/3/2009 - Cancelled 5/26/2011.

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