

04/04/2006

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

RIGHT NUMBER: 73-82

NAME AND ADDRESS: CIRCLE PIE RANCHES PARTNERSHIP
C/O FRANK UNQUERA
HC 62 BOX 2295
MAY ID 83253

SOURCE: PATTERSON CREEK

TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 2.400 CFS

PRIORITY DATE: 03/13/1900

POINT OF DIVERSION:

T14N R22E S8 NESESW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.400 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T14N R22E S07	NESE	28.00	T14N R22E S08	NESW	5.00
T14N R22E S08	NWSW	25.00			

58 ACRES TOTAL

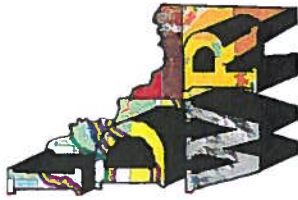
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

~~P/D NOT IDENTIFIED IN DECREE.~~

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

Source is also known as Big Spring Creek.



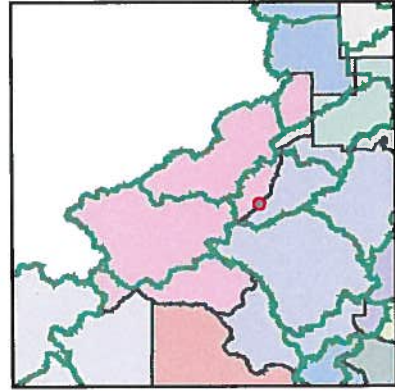
Idaho Department of Water Resources

Adjudication Claim:

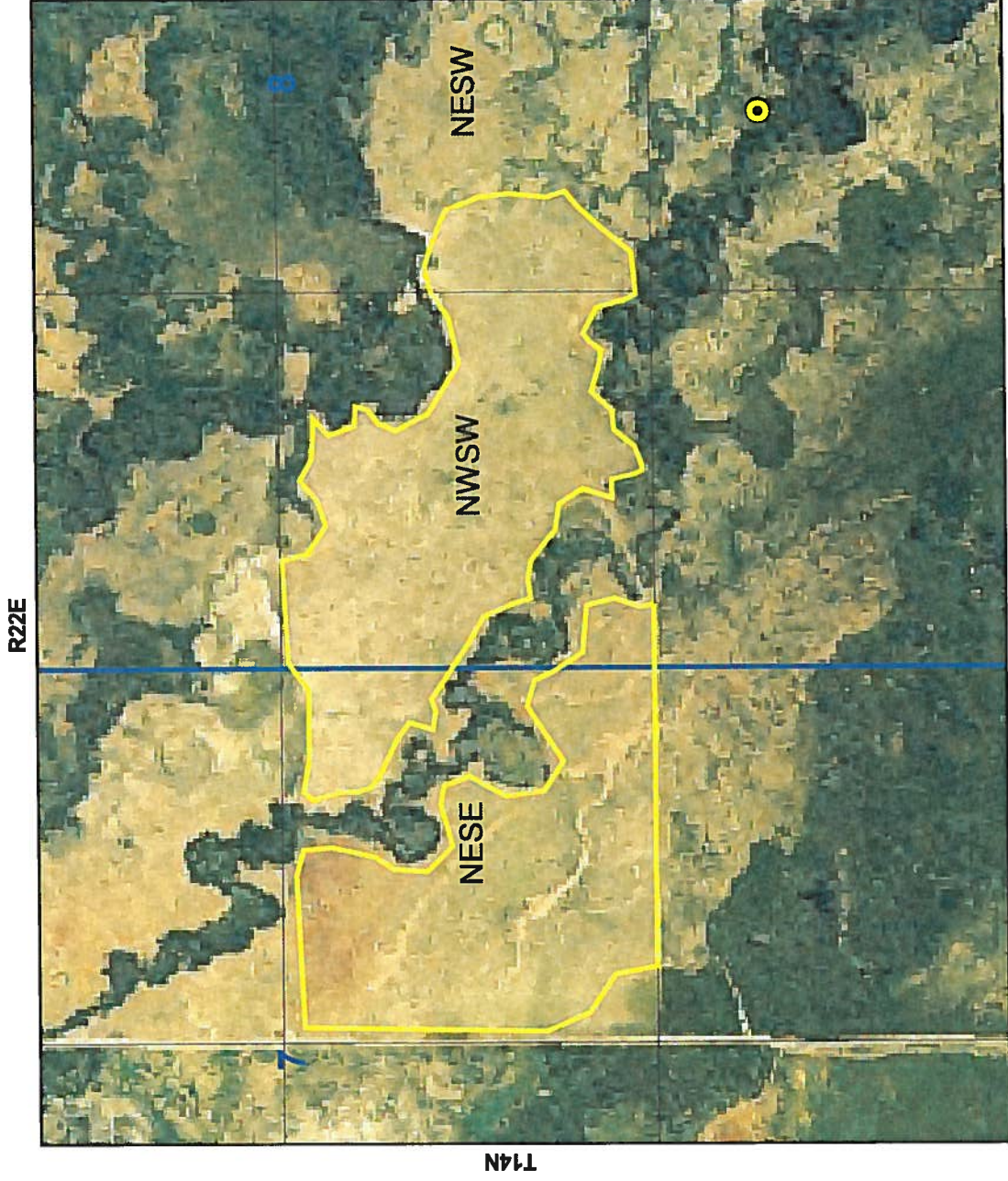
73-82

Legend

- Point of Diversion
- ▭ Place of Use
- ▭ Townships
- ▭ PLS Sections
- ▭ Quarter Quarters



Lemhi County
IDWR Basin 73



Sherman, Sally

From: Shaff, Don
Sent: Tuesday, September 23, 2008 2:41 PM
To: Sherman, Sally
Subject: Declined: Loose Ends on Two Items

Let's see, I don't think for these two a sit down is required. Otherwise, you can visit most any time.

1-10023 - Decreed 9/18/08. Original claim arrived today from the Court. The Motion to File a Late Claim arrived in March 2007. Eastern has the file, but has "cancelled/voided" on the barcode query (which could be a typo). Monica told me it was a Fed Reserved right. Shall I make a late claim file and send it to Eastern? You must have the wrong number, because the Summary Page shows this one is done as you wrote. Late claim file is not relevant and not applicable. The claim and right are certainly not fed reserved.

73-2021 - Thanx for your reply. I knew the reason this no. was in the water right column.

In your instructions, you asked me to find out why this number wasn't claimed and to look through the files for an ownership change. I did, and didn't find one. Each AJ number is listed as Circle Pie vs. Circle Pi as Ben Yates wants it. The Sec of State shows Circle Pi, LLC reinstated 8/8/07

Since this is obviously a simple name change, would you like me to make the name change? Nate has 13 files. The balance of the files except 73-82 we have. 73-82 is barcoded to the duplex, but it's not there. I explained the other day Emalee wrote Yates to send papers for Circle Pie. (See 2nd correspondence for 73-2021.) I am bowing to her direction. You can change the name when Yates complies. The file certainly is ON the shelf.



Added in 73-82
d/l d/c arrivals.
9-24-08
MS



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

September 15, 2008

CIRCLE PI LLC
PO BOX 2295
MAY ID 83253

RE: Change in Ownership of Water Right No. 73-2021

Dear Interested Party:

On June 29, 2007, the Department of Water Resources received the notice of change in water right ownership for the above listed water right. On July 2, 2007, the Department mailed a letter to you which requested evidence of water right ownership. As of this date, no response has been received.

Your notice notes that you are changing your name only. I am unable to find a link that states Circle Pie Ranches Partnership changed their name to Circle Pi, LLC. Please supply a copy of the paperwork filed with the state which provides evidence of the *name change*. The copy of the Articles of Organization indicates that the LLC was formed, but does not provide proof that the name was changed. If you do not have evidence that the name was changed, please provide a copy of the deed which conveyed the property to Circle Pi, LLC.

As stated before in the previous letter, the Department cannot process the ownership change without the proper documentation, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days, we will return your notice and all attachments and your notice will not be processed.

Please feel free to contact the Department if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Emalee Rushing', is written above the printed name.

Emalee Rushing
Office Services Supervisor

State of Idaho

Office of the Secretary of State

LIMITED LIABILITY COMPANY REINSTATEMENT CERTIFICATE

I, BEN YSURSA, Secretary of State of the State of Idaho, hereby certify that the articles of organization of **CIRCLE PI, L.L.C.**, file number W 4315, a limited liability company organized under the laws of the State of Idaho, was administratively dissolved on October 10, 2006, for failure to file the required annual report form by the date due.

I FURTHER CERTIFY That the limited liability company has on August 8, 2007, been reinstated on the records of this office, and that its articles of organization in the State of Idaho are hereby restored.

Dated: August 8, 2007



Ben Yursa

SECRETARY OF STATE

By

A large, stylized handwritten signature, likely of Ben Yursa, is written over a horizontal line.



APPLICATION FOR REINSTATEMENT

To the SECRETARY OF STATE, STATE OF IDAHO

1. The name of the Idaho corporation / limited liability company / limited partnership / limited liability partnership applying for reinstatement following administrative dissolution or forfeiture, if available, is:

CIRCLE PI. L.L.C.

2. The date of its incorporation / organization was:

July 3, 1997

3. The corporation / limited liability company / limited partnership / limited liability partnership hereby applies for reinstatement. If the entity name is unavailable, a certificate of amendment for a name change must be attached.

4. This application is accompanied by a current annual report, appointment of registered agent, or articles of amendment extending existence, as appropriate, and a filing fee of \$30.00.

Signature: Brent H. Yates

Capacity/Title: Partner / member

Date: 8/3/07

(must be signed by a chairman of the board of directors, officer or partner of the corporation / LLC / LP / LLP)

Secretary of State use only

IDAHO SECRETARY OF STATE
08/08/2007 05:00
CK: 902 CT: 216246 BH: 1069638
1 @ 30.00 = 30.00 CORP REINS # 2

If corporation annual report/reinstatement paid
Ref: 10/2006

FILED EFFECTIVE

07 AUG - 8 11:09 AM
SECRETARY OF STATE
IDAHO