

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

RIGHT NUMBER: 73-115

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

SOURCE: PATTERSON CREEK

TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 2.800 CFS

PRIORITY DATE: 04/25/1904

POINT OF
DIVERSION:

T14N R22E S7 NENE Within LEMHI County

T14N R22E S7 SENW Injection Within LEMHI County

T14N R22E S7 NWSW Lot 3 Rediversion Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

2.800 CFS

PLACE OF USE:

IRRIGATION in CUSTER County

T14N R21E S02 Lot 2 NWNE	7.00	T14N R21E S02 Lot 3 NENW	25.00
T14N R21E S02 Lot 4 NWNW	38.00	T14N R21E S02 SWNW	27.00
T14N R21E S02 SENW	23.00	T14N R21E S03 Lot 1 NENE	36.00
T14N R21E S03 Lot 2 NWNE	29.00	T14N R21E S03 Lot 3 NENW	35.00

220 ACRES TOTAL

This right is limited to the irrigation of 140 acres within the place of use described above in a single irrigation season.

Right Nos. 73-115 and 73-10037 are limited to the irrigation of a combined total of 220 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Source is also known as Little Spring Creek, Spring Creek or O Neal Creek.

12/24/2009

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

RIGHT NUMBER: 73-115

NAME AND ADDRESS: CIRCLE PI LLC
HC 62 BOX 2295
MAY ID 83253

SOURCE: PATTERSON CREEK

TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 2.800 CFS

PRIORITY DATE: 04/25/1904

POINT OF DIVERSION:

T14N R22E S7 NENE Within LEMHI County

T14N R22E S7 SENW Injection Within LEMHI County

T14N R22E S7 NWSW Lot 3 Rediversion 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	2.800 CFS

PLACE OF USE: IRRIGATION in CUSTER County

T14N R21E S01	SWNW	0.20	T14N R21E S01	NESW	0.60
T14N R21E S01	NWSW	28.00	T14N R21E S01	SWSW	39.00
T14N R21E S01	SESW	9.00	T14N R21E S02 Lot 2	NWNE	7.00
T14N R21E S02	SWNE	28.00	T14N R21E S02	SENE	16.00
T14N R21E S02 Lot 3	NENW	27.00	T14N R21E S02 Lot 4	NWNW	38.00
T14N R21E S02	SWNW	39.00	T14N R21E S02	SENW	37.00
T14N R21E S02	NESW	40.00	T14N R21E S02	NWSW	40.00
T14N R21E S02	NESE	39.00	T14N R21E S02	NWSE	40.00
T14N R21E S02	SWSE	19.00	T14N R21E S02	SESE	40.00
T14N R21E S03 Lot 1	NENE	36.00	T14N R21E S03 Lot 2	NWNE	29.00
T14N R21E S03 Lot 3	NENW	35.00	T14N R21E S11	NENE	21.00
T14N R21E S12	NENW	19.00	T14N R21E S12	NWNW	40.00
T14N R21E S12	SWNW	28.00	T14N R21E S12	SENW	29.00

723.8 ACRES TOTAL

Place of use does not include federal public lands.

The rights listed below are limited to the irrigation of a combined total of 723.8 acres in a single irrigation season. Combined Right Nos.: 73-6, 73-12, 73-105, 73-107, 73-108, 73-114, 73-115, 73-2015, 73-2037, 73-2053, 73-7025, 73-10037, and 73-10063.

This right is limited to the irrigation of 140 acres within the place of use described above in a single irrigation season.

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

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Source is also known as Little Spring Creek, Spring Creek or O Neal Creek.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

07/01/2006

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

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PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
2.800 CFS

PLACE OF USE: IRRIGATION Within CUSTER County

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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Idaho Department of Water Resources

SRBA Recommendation:

73-115

Legend

●

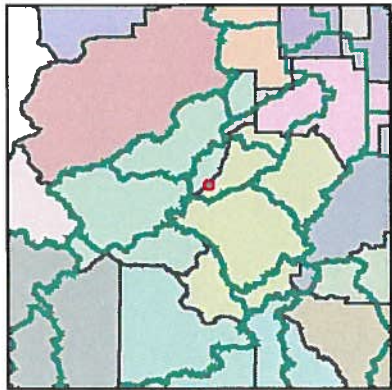
Point of Diversion

Place of Use

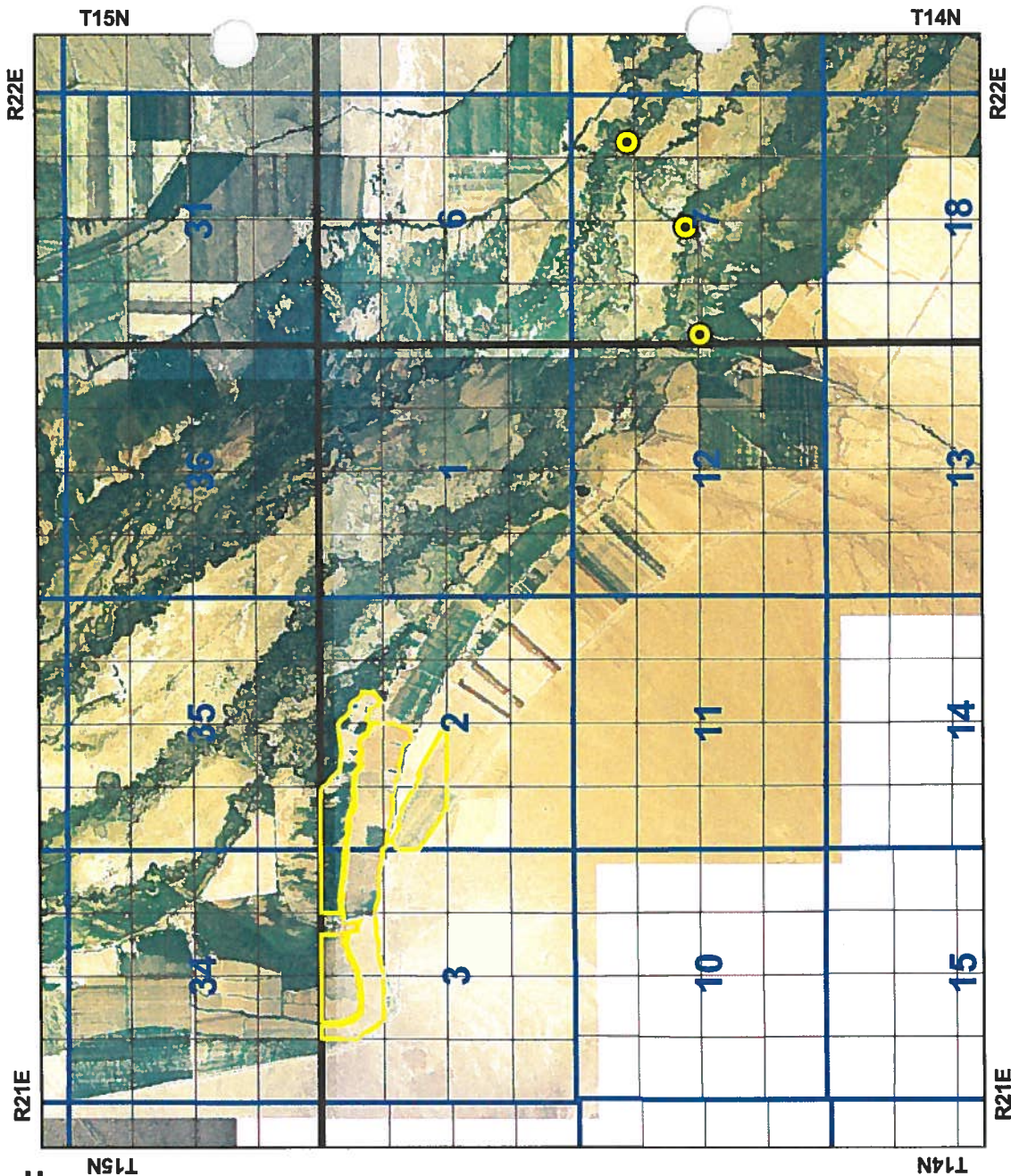
Townships

PLS Sections

Quarter Quarters



Lemhi, Custer Counties
IDWR Basin 73



0 1 2 Miles

Prepared by R. Brown
On Saturday, July 1, 2006
1987/88 Aerial Photography

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

RECEIVED

FEB 09 2004

Department of Water Resources
Eastern Region

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

RECEIVED
FEB 12 2004

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
_____	73-115	_____	_____	_____	_____
_____	73-10037	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) G. Ferdinand Zollinger
- NC-62 Box 2300 May ID 83253
4. New Owner/Claimant(s) Circle Pie Ranches & Bar Yater
- Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address NC 62 Box 2295
- City, State and ZIP Code May ID 83253
- New Telephone Number (208) 876-4467
5. Date you acquired the property 7-17-98

O.K. to process
 RBrown 5/31/06

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) BH Bates (member)
(include title if applicable) Cargill P. LLC

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by <u>RA</u> AJ	Date <u>8/1/06</u>	WR _____ Date _____

WARRANTY DEED

For Value Received LINDA ANN ZOLLINGER

The grantor, do es hereby grant, bargain, sell and convey unto

CIRCLE PI, L.L.C.

the grantee s, whose current address is

the following described premises, in

Custer

County Idaho, to-wit:

TOWNSHIP 14 NORTH, RANGE 21 EAST, BOISE MERIDIAN,
CUSTER COUNTY, IDAHO.SECTION 2: SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, LOTS 2, 3, & 4.

SECTION 3: LOTS 1, 2, and 3.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s
their heirs and assigns forever. And the said Grantor does hereby covenant to and
with the said Grantees that she is the owner in fee simple of said premises; that they are free
from all Incumbrances

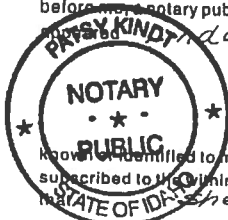
and that s he will warrant and defend the same from all lawful claims whatsoever.

Dated: July 17th, 1999

Linda Ann Zollinger
LINDA ANN ZOLLINGER

STATE OF IDAHO, COUNTY OF

On this 17 day of July, 1999,
before me, Notary Public in and for the said State, personally
appeared *Linda Ann Zollinger*



known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to me
that she executed the same.

Patsy Kinde
Notary Public
Residing at *Challis*, Idaho
Comm. Expires *3/12/2004*

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the
request of *Custer County Title*

at 38 minutes past 2 o'clock P.M.,
this 19th day of July
1999, in my office, and duly recorded in Book
of Deeds at Page

Ethel M. Peck
Ex-Officio Recorder
By *Janet Langis* Deputy.
Fees \$ *300*
Mail to:

INSTRUMENT NO.