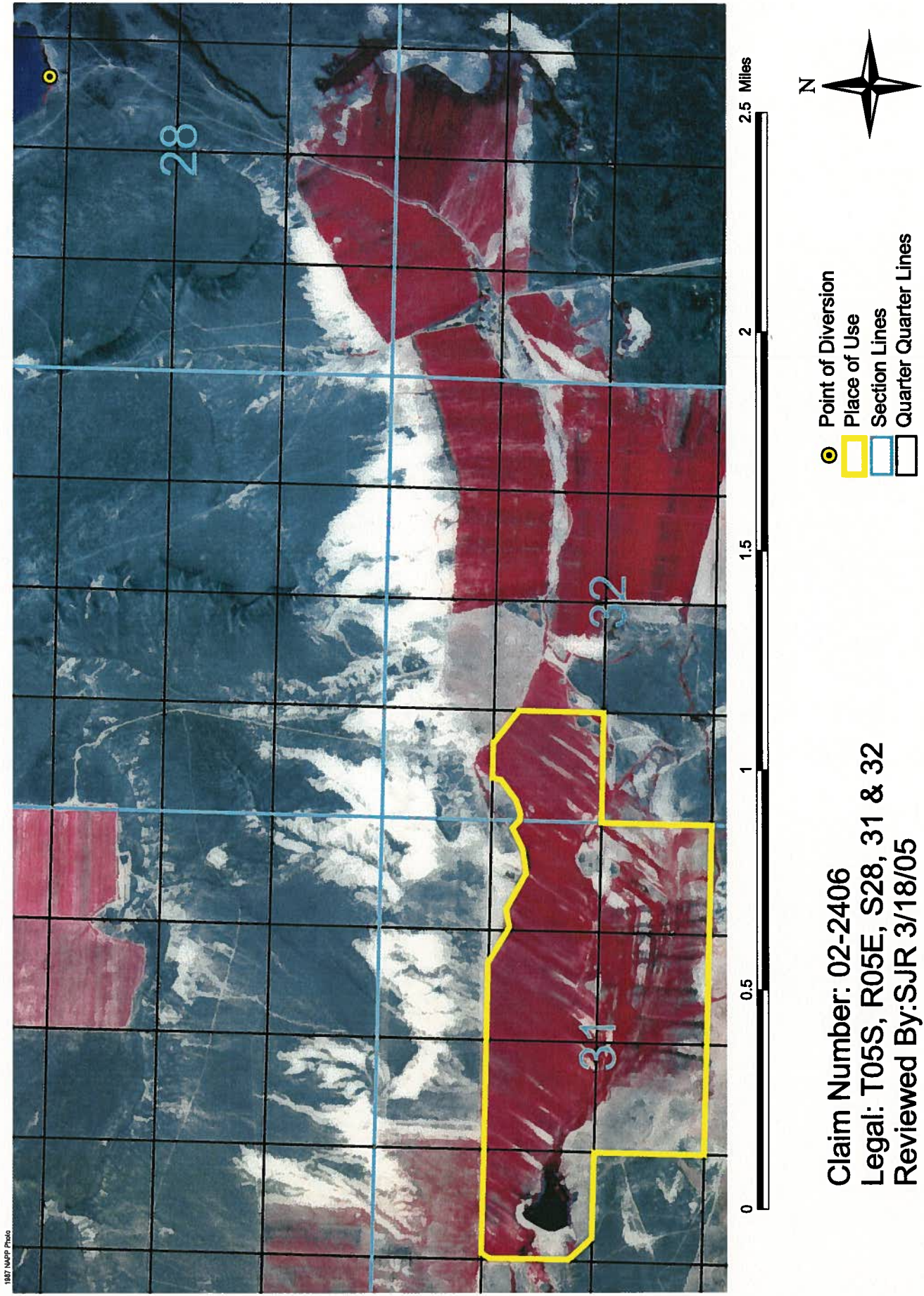


# Idaho Department of Water Resources



Claim Number: 02-2406  
Legal: T05S, R05E, S28, 31 & 32  
Reviewed By: SJR 3/18/05

04/19/2005

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

RIGHT NUMBER: 2-2406

NAME AND ADDRESS: JAMES C HILLIARD  
4401 S OCEAN BLVD #7  
HIGHLAND BEACH FL 33487

BARBARA G HILLIARD  
4401 S OCEAN BLVD #7  
HIGHLAND BEACH FL 33487

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 4.120 CFS  
1,030.000 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL  
COMBINED ANNUAL DIVERSION VOLUME OF 2605 AF. COMBINED RIGHT  
NOS.: 2-7025, 2-7350.

PRIORITY DATE: 02/03/1967

POINT OF DIVERSION:

T05S R05E S28 NENWNE Within OWYHEE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>           |
|-----------------------|----------------------|---------------------------|
| IRRIGATION            | 04/01 10/31          | 4.120 CFS<br>1,030.00 AFY |

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within OWYHEE County

|                     |      |      |                     |      |      |
|---------------------|------|------|---------------------|------|------|
| T05S R05E S31       | SWNE | 39.0 | T05S R05E S31       | SENE | 31.0 |
| T05S R05E S31 Lot 5 | SENE | 38.0 | T05S R05E S31 Lot 6 | SENE | 40.0 |
| T05S R05E S31 Lot 7 | NESW | 40.0 | T05S R05E S31       | NESE | 40.0 |
| T05S R05E S31       | NWSE | 40.0 | T05S R05E S32       | SWNW | 36.0 |

304 ACRES TOTAL

This right is limited to the irrigation of 206 acres within the place of use described above 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: License

Rights 2-57, 2-2129, 2-2130, 2-7025, and 2-7350 are also diverted through the point of diversion described above.

## State of Idaho

## WATER LICENSE

Water license No. 33633 Priority February 3, 1967 Amount 4.12 c.f.s.

THIS IS TO CERTIFY, that MYRTLE PRENTICE  
 of Mountain Home, Idaho, made application for a permit to appropriate the public waters of  
 the State of Idaho, dated February 3, 1967; that Permit 33633 was issued pursuant  
 to said application; that the proposed works were completed on or about June 15, 1967  
 with a storage or carrying capacity of 16.95 c.f.s., said works consisting of  
concrete diversion works and earth ditch; and that on March 22, 1968  
 proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 1030  
 acre feet per season, with a maximum rate of diversion of 4.12 cubic feet per second of the waters  
 of Snake River, tributary of Columbia River,  
 for the purpose of Irrigation from April 1 to October 31;  
 and for \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_; and for  
 \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_; and that the use  
 of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-  
 mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is  
 located in NW  $\frac{1}{4}$  NE  $\frac{1}{4}$ , Sec. 28, T. 5 S, R. 5 E, B.M., and  
 other additional points \_\_\_\_\_, in the County of  
Owyhee; and that the amount of water to which such right is  
 entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially  
 used for said purposes and shall not exceed 1030 acre feet per year.

Description and location of place of use:

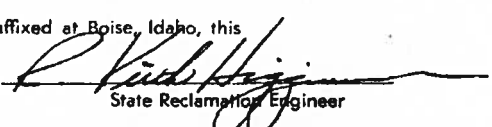
| TWP. | RANGE | SEC. | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | 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 $\frac{1}{4}$ |        |
| 5 S  | 5 E   | 31   |                  |                  | 38               | 39               |                  |                  | L5<br>18         | L6<br>30         | L7<br>2          |                  |                  |                  | 27               | 16               |                  |                  | 170    |
|      |       | 32   |                  |                  |                  |                  |                  |                  | 36               |                  |                  |                  |                  |                  |                  |                  |                  |                  | 36     |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

Total number of acres irrigated 206

The right to the use of the water 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 State Reclamation Engineer, affixed at Boise, Idaho, this

16th day of July, 1969.

  
 State Reclamation Engineer

02-2406

33033

JMS

## LICENSED WATER RIGHTS

**From:** Maggie Creek Ranch, L.P., a Delaware limited partnership  
**To:** James C. Hilliard and Barbara G. Hilliard, husband and wife

**Diversion Point #1 - T05S-R05E-S28, NWNE - Snake River**

| <u>Water Right License No.</u> | <u>Acres</u> | <u>Priority Date</u> | <u>Cubic Feet/Sec.</u><br><u>Irrigation Stockwater</u> | <u>Acre Feet</u> |
|--------------------------------|--------------|----------------------|--------------------------------------------------------|------------------|
| 02-02129 ✓                     | 177          | 5/21/1956            | 3.54 CFS                                               | 885 AFA          |
| 02-02130 ✓                     | 171          | 5/21/1956            | 3.42 CFS                                               | 855 AFA          |
| 02-02406 ✓                     | 206          | 2/03/1967            | 4.12 CFS                                               | 1,030 AFA        |
| 02-07025 ✓                     | 265          | 12/25/1968           | 4.00 CFS                                               | 1,325 AFA        |
| 02-07350 ✓                     | <u>50</u>    | 6/08/1981            | <u>1.00</u> CFS                                        | <u>250</u> AFA   |
|                                | 869          |                      | 1,608 CFS                                              | 4,350 AFA        |

**Diversion Point #2 - T05S-R05E-S19, NWNE - Snake River**

|          |     |           |          |           |
|----------|-----|-----------|----------|-----------|
| 02-07028 | 310 | 2/17/1969 | 6.20 CFS | 1,550 AFA |
|----------|-----|-----------|----------|-----------|

**Diversion Point #3 T05S-R4E-S35, SWNE - Snake River**

|            |            |           |                  |                  |
|------------|------------|-----------|------------------|------------------|
| 02-07036 ✓ | 362        | 8/30/1969 | 7.24 CFS         | 1,810 AFA*       |
|            | 61         |           |                  |                  |
|            | 61         |           |                  |                  |
| 02-07037 ✓ | 320        | 8/30/1969 | 6.40 CFS         | 1,600 AFA        |
| 02-07038 ✓ | 200        | 6/05/1969 | 4.00 CFS         | 900 AFA          |
| 02-07127 ✓ | <u>547</u> | 9/12/1973 | <u>10.94</u> CFS | <u>2,735</u> AFA |
|            | 1,551      |           | 28.58 CFS        | 7,045 AFA        |

**Diversion Point #4 T06S-R05E-S08, NWNE - Snake River**

|            |            |           |                 |                         |
|------------|------------|-----------|-----------------|-------------------------|
| 02-07020 ✓ | 233        | 9/26/1968 | 4.66 CFS        | 1,165 AFA               |
| 02-07021 ✓ | 271        | 9/26/1968 | 5.42 CFS        | 1,355 AFA               |
| 02-07033 ✓ | 289        | 4/04/1969 | 6.40 CFS        | 0.01 1,607.2 AFA        |
| 02-07034 ✓ | <u>320</u> | 4/04/1969 | <u>6.40</u> CFS | 0.01 <u>1,607.2</u> AFA |
|            | 1,113      |           | 22.88 CFS       | 5,734.4 AFA             |

|               |                    |  |                  |                     |
|---------------|--------------------|--|------------------|---------------------|
| <b>Totals</b> | <b>3,843 acres</b> |  | <b>73.74 CFS</b> | <b>18,679.4 AFA</b> |
|---------------|--------------------|--|------------------|---------------------|

\* Includes Water Right for 40 acres for Lot 12, Sec. 30, T5S, R5E, B.M., on public BLM land.

**NOTE:** All of the above original water rights are licensed water rights.

*Handwritten:*  
 4700 gpm  
 0.02 cfs  
 9 gpm  
 10.44 cfs

$\Sigma 2129, 2130, 2406, 7025, 7350 \leq 4320$  (on 7025)  
 $2406, 7025, 7350 \leq 2625$  (on 2406, 7350)  
 $2130, 7025 \leq 2180$  (on 2130)  
 $2129, 7025 \leq 2185$  (on 2129)  
 $\Sigma 7020, 7021, 7033, 7034 = 22.88$  cf  
 - can't find info on works capacity  
~~8/16/69 2-7026~~  
 2/3/67 2-2406 ✓  
 - 9/26/68 2-7020 ✓  
 - 9/26/68 2-7021 ✓  
 12/25/68 2-7025 ✓  
 2/17/69 2-7028  
 - 4/4/69 2-7033 ✓  
 - 4/4/69 2-7034 ✓  
 8/30/69 2-7036 ✓  
 8/30/69  $\Sigma 7036, 37, 38 \leq 23.6$   
 6/5/69 2-7038 ✓  
 9/10/73  $\Sigma 7036, 37, 38, 7127 \leq 23.6$  cf  
 6/8/81 2-7350 ✓

# IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 02-02406

Date: 8-8-02

|       | TNS | RNG | SEC | NE |    |    |    | NW |    |          |          | SW      |    |    |    | SE |    |    |    | Sum |
|-------|-----|-----|-----|----|----|----|----|----|----|----------|----------|---------|----|----|----|----|----|----|----|-----|
|       |     |     |     | NE | NW | SW | SE | NE | NW | SW       | SE       | NE      | NW | SW | SE | NE | NW | SW | SE |     |
| Claim | 55  | 5E  | 31  |    |    | 38 | 39 |    |    | -5<br>18 | -6<br>30 | -7<br>2 |    |    |    | 27 | 16 |    |    | 170 |
| GIS   |     |     |     |    |    | 40 | 40 |    |    | 18       | 37       | 19      |    |    |    | 40 | 38 |    |    | 232 |
| Claim |     |     | 32  |    |    |    |    |    |    | 36       |          |         |    |    |    |    |    |    |    | 36  |
| GIS   |     |     |     |    |    |    |    |    |    | 36       |          |         |    |    |    |    |    |    |    | 36  |
| Claim |     |     |     |    |    |    |    |    |    |          |          |         |    |    |    |    |    |    |    |     |
| GIS   |     |     |     |    |    |    |    |    |    |          |          |         |    |    |    |    |    |    |    |     |
| Claim |     |     |     |    |    |    |    |    |    |          |          |         |    |    |    |    |    |    |    |     |
| GIS   |     |     |     |    |    |    |    |    |    |          |          |         |    |    |    |    |    |    |    |     |

Number of POD's 1

Total Claimed Acres: 206

Overlapping EOU Claim #'s:

02-07025, 02-00057, 02-07350

Total GIS Acres: 268

## COMMENTS:

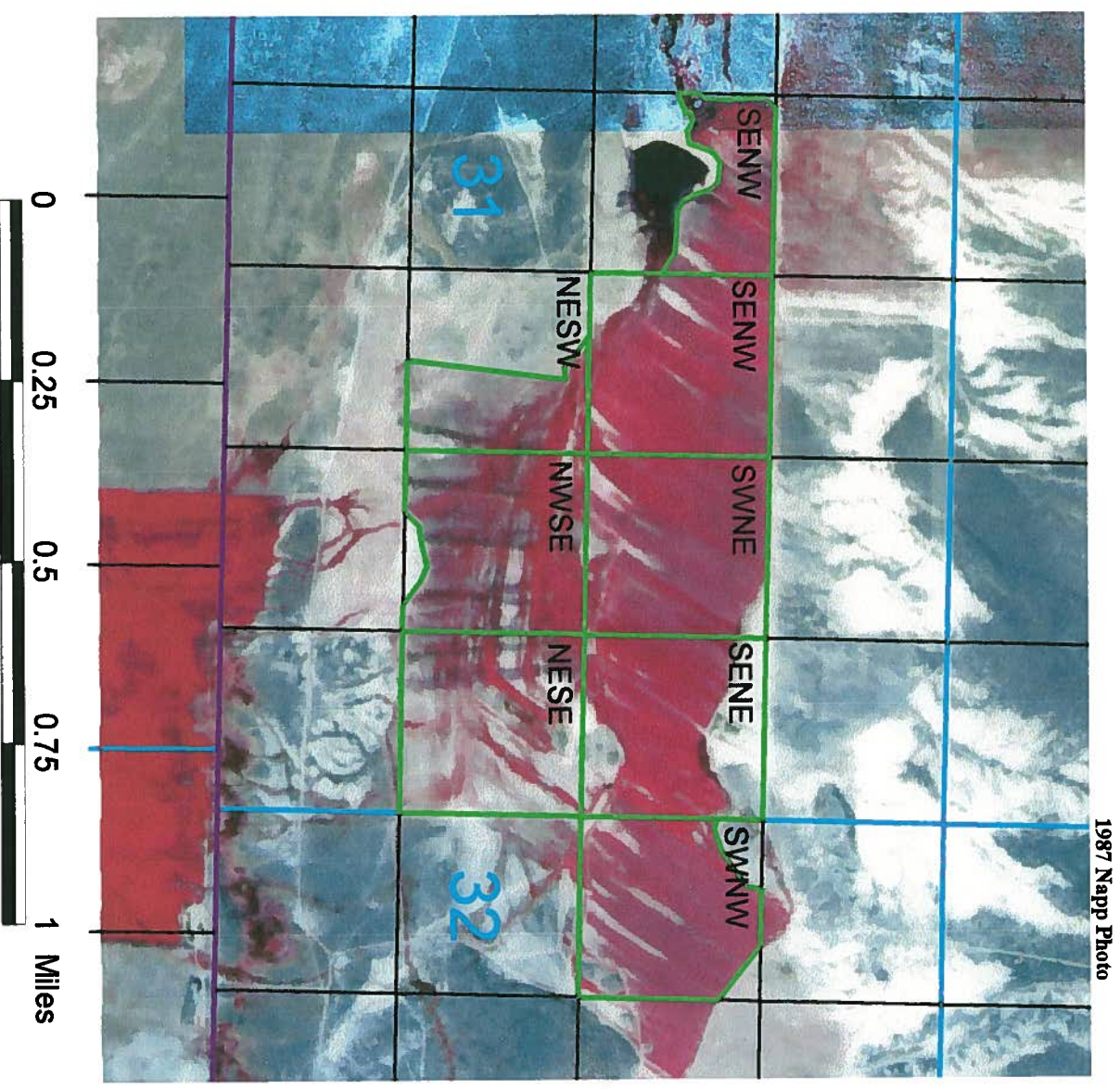
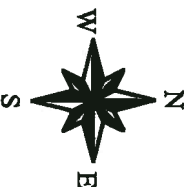
County data indicates James Hilleard owns this property. Per claim map, overlapping claim, + field boundaries.

POD per claim legal.

# Idaho Department of Water Resources

Claim Number: 02-02406  
Legal: T05S, R05E, S31 & 32  
Reviewed By:

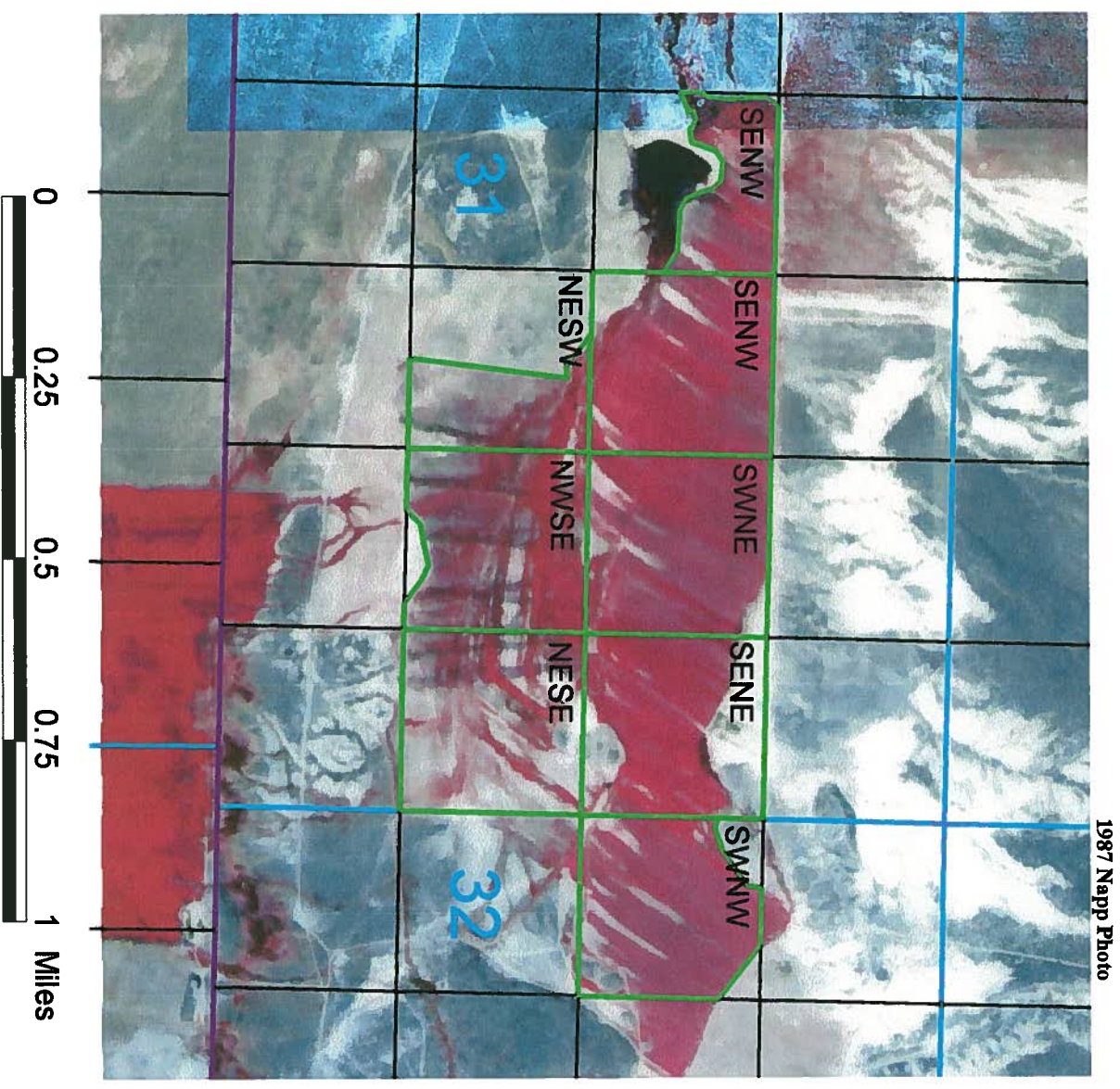
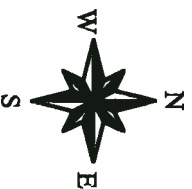
-  Point of Diversion  
(located outside view)
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines
-  Township/Range Lines



# Idaho Department of Water Resources

Claim Number: 02-02406  
Legal: T05S, R05E, S31 & 32  
Reviewed By:

-  Point of Diversion  
(located outside view)
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines
-  Township/Range Lines



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 2-2406  
Date Received: 12/16/1988  
Receipt No: W001667  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JAMES C HILLIARD  
4401 S OCEAN BLVD #7  
HIGHLAND BEACH FL USA 33487

Phone: (561) 838-4370

BARBARA G HILLIARD  
4401 S OCEAN BLVD #7  
HIGHLAND BEACH FL USA 33487

Phone: (561) 838-4370

2. Date of Priority: 02/03/1967

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 05S      | 05E   | 28      | NW NE                 | OWYHEE |      |

5. Description of diverting works:

600 HP MOTOR, SPRINKLER SYSTEM AND GRAVITY

6. Water is used for the following purposes:

| Purpose    | From | To    | C.F.S. | (or) A.F.A |
|------------|------|-------|--------|------------|
| IRRIGATION | 4/01 | 10/31 | 4.12   | 1030       |

7. Total Quantity Appropriated is:

4.12 C.F.S. and/or 1030 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township | Range | Section | 1/4 | of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|-----|--------|-----|---------------|-------|
| 05S      | 05E   | 31      | SW  | NE     |     | IRRIGATION    | 38    |
|          |       |         | SE  | NE     |     | IRRIGATION    | 39    |
|          |       |         | SW  | NW     | 5   | IRRIGATION    | 18    |
|          |       |         | SE  | NW     | 6   | IRRIGATION    | 30    |
|          |       |         | NE  | SW     | 7   | IRRIGATION    | 2     |
|          |       |         | NE  | SE     |     | IRRIGATION    | 27    |
|          |       |         | NW  | SE     |     | IRRIGATION    | 16    |
|          |       |         |     |        |     | Section Acres | 170   |
| 05S      | 05E   | 32      | SW  | NW     |     | IRRIGATION    | 36    |
|          |       |         |     |        |     | Section Acres | 36    |
|          |       |         |     |        |     | Total Acres   | 206   |

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:

14. Remarks:

Ownership change by DB 5/14/2002

15. Basis of Claim: License



## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Claim Report 2-2406

WATER RIGHT NUMBER: 2-2406

|                   |                                                                                                   |
|-------------------|---------------------------------------------------------------------------------------------------|
| <u>Owner Type</u> | <u>Name and Address</u>                                                                           |
| Original Owner    | MYRTLE PRENTICE                                                                                   |
| Current Owner     | MOUNTAIN HOME, ID<br>CHESTER J TINDALL<br>550 N 8TH E<br>MOUNTAIN HOME, ID 83647<br>(208)587-3798 |

Priority Date: 02/03/1967

Basis: License

Status: Active

|               |                  |
|---------------|------------------|
| <u>Source</u> | <u>Tributary</u> |
| SNAKE RIVER   | COLUMBIA RIVER   |

|                       |                         |                       |                      |
|-----------------------|-------------------------|-----------------------|----------------------|
| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
| IRRIGATION            | 4/01 to 10/31           | 4.120 CFS             | 1,030.00 AF          |
|                       | <u>Total Diversion:</u> | 4.120 CFS             | 1,030.00 AF          |

Location of Point(s) of Diversion

|               |            |                                 |
|---------------|------------|---------------------------------|
| SNAKE RIVER   | NW1/4NE1/4 | Sec. 28, Twp 05S, Rge 05E, B.M. |
| OWYHEE County |            |                                 |

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE |    |      |      | NW |    |      |      | SW  |    |    |    | SE   |      |    |    | Totals |
|-----|-----|-----|----|----|------|------|----|----|------|------|-----|----|----|----|------|------|----|----|--------|
|     |     |     | NE | NW | SW   | SE   | NE | NW | SW   | SE   | NE  | NW | SW | SE | NE   | NW   | SW | SE |        |
| 05S | 05E | 31  |    |    | 38.0 | 39.0 |    |    | 18.0 | 30.0 | 2.0 |    |    |    | 27.0 | 16.0 |    |    | 170.0  |
|     |     |     |    |    |      |      |    |    | L 5  | L 6  | L 7 |    |    |    |      |      |    |    |        |
| 05S | 05E | 32  |    |    |      |      |    |    | 36.0 |      |     |    |    |    |      |      |    |    | 36.0   |

Total Acres: 206

Conditions of Approval:

1. 16

Remarks:Comments:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 2-2406

Dates and Other Information:

Claim Received Date:  
Enlargement Use Priority Date:  
Enlargement Statute Priority Date:  
State or Federal:  
Owner Name Connector: 0  
Water District Number:  
Generic Max Rate Per Acre:  
Generic Max Volume Per Acre: 1030  
Swan Falls Trust or Nontrust: False  
Swan Falls Dismissed:  
DLE Act Number:  
Carey Act Number:  
Mitigation Plan:

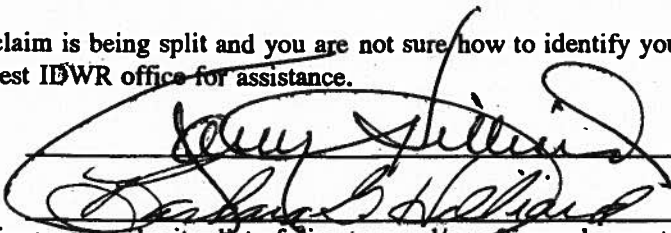
RECEIVED

DEC 31 1998

WATER RESOURCES  
WESTERN REGIONSTATE OF IDAHO  
IDAHO DEPARTMENT OF WATER RESOURCES

## NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.  
Incomplete forms will be returned.

1. Water Right No(s).: See attached list  
Adjudication Claim No(s).: See attached list
2. The following REQUIRED information must be submitted with this form:
  - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.  
See attached AND
  - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.) See attached
  - OR
  - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked. See attached
3. Name and Address of Former Owner/Claimant See attached list
4. New Owner/Claimant(s) James C. Hilliard and Barbara G. Hilliard, husband & wife  
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or  
New Mailing Address See attached  
City, State and ZIP Code \_\_\_\_\_  
New Telephone Number (    ) See attached
5. Date you acquired the property January 2, 1998
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.  
Number of acres you irrigate N/A Number and type of stock \_\_\_\_\_  
Diversion rate in CFS \_\_\_\_\_ Number of homes \_\_\_\_\_ Other uses \_\_\_\_\_  
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s)  
  
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

## PARCEL NO. 1:

In Township 5 South, Range 4 East, B. M., Owyhee County, Idaho

22-07127 Section 36: E1/2, NW1/4, N1/2 SW1/4  
547

## PARCEL NO. 2:

In Township 5 South, Range 4 East, B. M., Owyhee County, Idaho

2-07037 Section 24: E1/2 SW1/4, W1/2 SE1/4

2-07037 Section 25: N1/2 NW1/4

2-07037 Section 26: E1/2 NE1/4

## PARCEL NO. 3:

In Township 5 South, Range 4 East, B. M., Owyhee County, Idaho

2-07038 Section 25: S1/2 NW1/4, N1/2 SW1/4, SE1/4 SW1/4

## PARCEL NO. 4:

In Township 5 South, Range 4 East, B. M., Owyhee County, Idaho

2-07036 Section 25: S1/2 SE1/4

In Township 5 South, Range 5 East, B. M., Owyhee County, Idaho

2-07036 Section 30: Lots 10 and 11

2-07036 Section 31: Lots 1, 2, and 3, N1/2 NE1/4

## PARCEL NO. 5:

In Township 5 South, Range 5 East, B. M., Owyhee County, Idaho

2-07025 Section 28: SW1/4 SE1/4, SE1/4 SW1/4, S1/2 NE1/4 SW1/4 SW1/4,

2-07025 E1/2 W1/2 SW1/4 SW1/4 SW1/4, E1/2 SW1/4 SW1/4 SW1/4, SE1/4 SW1/4 SW1/4

2-07025 Section 31: Lots 5, 6, and 7, S1/2 NE1/4, N1/2 SE1/4

2-07025 Section 32: NE1/4, E1/2 NW1/4, NW1/4 NW1/4, SW1/4 NW1/4, N1/2 SE1/4, S1/2 SE1/4

2-07025 Section 33: NW1/4 NE1/4, N1/2 NW1/4, N1/2 N1/2 SW1/4 NE1/4, SW1/4 NW1/4,

2-07025 N1/2 N1/2 SE1/4 NW1/4

In Township 6 South, Range 5 East, B. M., Owyhee County, Idaho

2-07021 Section 4: S1/2 NW1/4, SW1/4

2-07021 Section 5: Lots 1, 2, and 3, S1/2 NE1/4, SE1/4 NW1/4, NE1/4 SE1/4,

2-07021 N1/2 SW1/4 SE1/4 SE1/4, N1/2 SE1/4 SE1/4, SE1/4 SE1/4 SE1/4

## PARCEL 6:

In Township 5 South, Range 5 East, B. M., Owyhee County, Idaho

2-07033 Section 31: Lots 11 and 12, SW1/4 SE1/4

In Township 6 South, Range 5 East, B. M., Owyhee County, Idaho

2-07034 Section 5: Lot 4, SW1/4 NW1/4, N1/2 SW1/4

2-07034 Section 6: Lots 1, 2, 3 and 4, SE1/4 NE1/4, SW1/4 NE1/4, SE1/4 NW1/4, N1/2 SE1/4

## PARCEL 7:

In Township 5 South, Range 5 East, B. M., Owyhee County, Idaho

2-07028 Section 19: SE1/4

150 Section 30: NE1/4

FILED-RECORDED

'98 JAN 13 PM 1 10

JIM HUNTLEY JR.  
OWYHEE COUNTY RECORDER  
BY B. W. Huntley  
DEPUTY

RECEIVED OF

FEE 1.00

### Names and Addresses of Former Owners

**Maggie Creek Ranch, Inc.**  
**P.O. Box 1360**  
**Elko, NV 80803**

**Chester J. Tindall**  
**550 N. 8th E.**  
**Mountain Home, ID 83647**

**John W. Dixon**  
**4380 SW**  
**Mac Adam**  
**Suite 460**  
**Portland, OR**  
**97201**

### Irrigation Adjudication Claim Nos.:

*SRBA Irrigation Claims Associated  
to same extent as Hilliard DEED*

| <i>SRBA<br/>Claim #</i> | <i>* — Current</i>      | <i>Claimant</i> | <i>Name —</i>  |
|-------------------------|-------------------------|-----------------|----------------|
|                         | <i>Maggie Ct. Ranch</i> | <i>Dixon</i>    | <i>Tindall</i> |
| <i>6</i>                | <i>A02-00057-</i>       | <i>-07036-</i>  | <i>-02129-</i> |
|                         | <i>-07028-</i>          | <i>-07037-</i>  | <i>-02130-</i> |
|                         | <i>-07034-</i>          | <i>-07038-</i>  | <i>-02406-</i> |
|                         | <i>-07350-</i>          | <i>-07127-</i>  | <i>-07020-</i> |
|                         |                         |                 | <i>-07021-</i> |
|                         |                         |                 | <i>-07025-</i> |
|                         |                         |                 | <i>-07033-</i> |

### New Owners and Address

**James C. Hilliard and Barbara G. Hilliard, husband and wife**  
**4401 S. Ocean Blvd., #7,**  
**Highland Beach, FL 33487**

**c/o John W. Clark, Manager**  
**P.O. Box 711**  
**Mountain Home, ID 83747**

**Phone: (208) 587-9131**

## LICENSED WATER RIGHTS

**From:** Maggie Creek Ranch, L.P., a Delaware limited partnership  
**To:** James C. Hilliard and Barbara G. Hilliard, husband and wife

**Diversion Point #1 - T05S-R05E-S28, NWNE - Snake River**

| <u>Water Right<br/>License No.</u> | <u>Acres</u> | <u>Priority Date</u> | <u>Cubic Feet/Sec.</u><br><u>Irrigation Stockwater</u> | <u>Acre Feet</u> |
|------------------------------------|--------------|----------------------|--------------------------------------------------------|------------------|
| 02-02129                           | 177          | 5/21/1956            | 3.54 CFS                                               | 885 AFA          |
| 02-02130                           | 171          | 5/21/1956            | 3.42 CFS                                               | 855 AFA          |
| 02-02406                           | 206          | 2/03/1967            | 4.12 CFS                                               | 1,030 AFA        |
| 02-07025                           | 265          | 12/25/1968           | 4.00 CFS                                               | 1,325 AFA        |
| 02-07350                           | <u>50</u>    | 6/08/1981            | <u>1.00</u> CFS                                        | <u>250</u> AFA   |
|                                    | 869          |                      | 1,608 CFS                                              | 4,350 AFA        |

**Diversion Point #2 - T05S-R05E-S19, NWNE - Snake River**

|          |     |           |          |           |
|----------|-----|-----------|----------|-----------|
| 02-07028 | 310 | 2/17/1969 | 6.20 CFS | 1,550 AFA |
|----------|-----|-----------|----------|-----------|

**Diversion Point #3 T05S-R4E-S35, SWNE - Snake River**

|          |            |           |                  |                  |
|----------|------------|-----------|------------------|------------------|
| 02-07036 | 362        | 8/30/1969 | 7.24 CFS         | 1,810 AFA*       |
|          | 61         |           |                  |                  |
|          | 61         |           |                  |                  |
| 02-07037 | 320        | 8/30/1969 | 6.40 CFS         | 1,600 AFA        |
| 02-07038 | 200        | 6/05/1969 | 4.00 CFS         | 900 AFA          |
| 02-07127 | <u>547</u> | 9/12/1973 | <u>10.94</u> CFS | <u>2,735</u> AFA |
|          | 1,551      |           | 28.58 CFS        | 7,045 AFA        |

**Diversion Point #4 T06S-R05E-S08, NWNE - Snake River**

|          |            |           |                 |                         |
|----------|------------|-----------|-----------------|-------------------------|
| 02-07020 | 233        | 9/26/1968 | 4.66 CFS        | 1,165 AFA               |
| 02-07021 | 271        | 9/26/1968 | 5.42 CFS        | 1,355 AFA               |
| 02-07033 | 289        | 4/04/1969 | 6.40 CFS        | 0.01 1,607.2 AFA        |
| 02-07034 | <u>320</u> | 4/04/1969 | <u>6.40</u> CFS | 0.01 <u>1,607.2</u> AFA |
|          | 1,113      |           | 22.88 CFS       | 5,734.4 AFA             |

|               |                    |  |                  |                     |
|---------------|--------------------|--|------------------|---------------------|
| <b>Totals</b> | <u>3,843</u> acres |  | <u>73.74</u> CFS | <u>18,679.4</u> AFA |
|---------------|--------------------|--|------------------|---------------------|

\* Includes Water Right for 40 acres for Lot 12, Sec. 30, T5S, R5E, B.M., on public BLM land.

**NOTE:** All of the above original water rights are licensed water rights.

## ADJUDICATION CLAIMS - WATER RIGHTS

**From:** Maggie Creek Ranch, L.P., a Delaware limited partnership, Dixon, Tindall  
**To:** James C. Hilliard and Barbara G. Hilliard, husband and wife

**Diversion Point #1 - T05S-R05E-S28, NWNE - Snake River**

| <u>Water Right No.</u> | <u>Acres</u> | <u>Priority Date</u> | <u>Cubic Feet/Sec.</u> |                       | <u>Acre Feet Consumptive Use</u> |                |
|------------------------|--------------|----------------------|------------------------|-----------------------|----------------------------------|----------------|
|                        |              |                      | <u>Irrig.</u>          | <u>Stockwtr. Dom.</u> |                                  |                |
| A02-02129              | 172          | 5/21/1956            | 3.54                   |                       | -                                | 602 AFA        |
| A02-02130              | 171          | 5/21/1956            | 3.42                   |                       | 855 AFA                          | 598.5 AFA      |
| A02-02406              | 206          | 2/03/1967            | 4.12                   |                       | 1,030 AFA                        | 721 AFA        |
| A02-07025              | 243          | 12/25/1968           | 4.00                   |                       | 1,325 AFA                        | 850.5 AFA      |
| A02-07350              | <u>50</u>    | 6/08/1981            | <u>1.00</u>            |                       | <u>250</u> AFA                   | <u>175</u> AFA |
|                        | 842          |                      | 16.08                  |                       | AFA                              | 2,947.0 AFA    |

**Diversion Point #2 - T05S-R05E-S19, NWNE - Snake River**

|           |     |           |      |  |           |           |
|-----------|-----|-----------|------|--|-----------|-----------|
| A02-07028 | 290 | 2/17/1969 | 6.20 |  | 1,550 AFA | 1,015 AFA |
|-----------|-----|-----------|------|--|-----------|-----------|

**Diversion Point #3 T05S-R4E-S35, SWNE - Snake River**

|           |            |           |              |  |               |
|-----------|------------|-----------|--------------|--|---------------|
| A02-07036 | 322        | 8/24/1969 | 6.44         |  | Permit        |
| A02-07037 | 320        | 8/24/1969 | 6.40         |  | Permit        |
| A02-07038 | 200        | 6/05/1969 | 4.00         |  | Permit        |
| A02-07127 | <u>547</u> | 9/06/1973 | <u>10.94</u> |  | <u>Permit</u> |
|           | 1,389      |           | 27.78        |  |               |

**Diversion Point #4 T06S-R05E-S08, NWNE - Snake River**

|                            |              |           |                  |             |                    |                    |
|----------------------------|--------------|-----------|------------------|-------------|--------------------|--------------------|
| A02-07020                  | 233          | 9/26/1968 | 4.66             |             | 1,165 AFA          | 815.5 AFA          |
| A02-07021                  | 271          | 9/26/1968 | 5.42             |             | 1,355 AFA          | 948.5 AFA          |
| A02-07033                  | 260          | 4/04/1969 | 6.40             | 0.01        | 1,607.2 AFA        | 910.0 AFA          |
| A02-07034                  | <u>300</u>   | 4/04/1969 | <u>6.40</u>      | <u>0.01</u> | <u>1,607.2</u> AFA | <u>1,050.0</u> AFA |
|                            | <u>1,064</u> |           | <u>22.88</u>     | 0.02        | 5,734.4 AFA        | 3,724.0 AFA        |
| <b>Total - 3,585 acres</b> |              |           | <b>72.94 cfs</b> |             |                    |                    |

**Diversion Point - T05S-R05E-S32, SESWSW - Springs**

|            |   |           |      |  |          |   |
|------------|---|-----------|------|--|----------|---|
| 51-07132   | - | 7/27/1978 | 0.04 |  | 3.60 AFA | - |
| 51-07312A* | - | 1/03/1989 | 0.10 |  | -        | - |

\*Application split with BLM, domestic use deleted, season reduced.

**Diversion Point - T05S-R05E-S28, NWNE - Snake River**

|           |    |           |      |      |           |   |
|-----------|----|-----------|------|------|-----------|---|
| A02-00057 | 10 | 2/03/1967 | 0.20 | 0.23 | 35.00 AFA | - |
|-----------|----|-----------|------|------|-----------|---|

**Diversion Point - T05S-R05E-S32. SESW - Groundwater  
S33, NWNW - Groundwater**

|          |   |           |      |      |                |   |
|----------|---|-----------|------|------|----------------|---|
| 51-10373 | - | 6/30/1968 | 0.23 | 0.06 | Beneficial Use | - |
|----------|---|-----------|------|------|----------------|---|

**NOTE:** Claims filed indicate some licenses as permits - correction requested.

## **OTHER NON-IRRIGATION WATER RIGHTS/ADJUDICATION CLAIMS**

**From: Maggie Creek Ranch, L.P., a Delaware limited partnership.**  
**To: James C. Hilliard and Barbara G. Hilliard, husband and wife.**

**Adj. Claim No. 51-07132 - Priority 07/27/1978 - Domestic use - 0.04 cfs, 3.60 afa.**  
**Springs located in Sec. 32, T6S-R5E - Decreed Right.**

**Water Right No. 51-07312 - Priority 01/03/1989 - Stockwater - 0.20 cfs.**  
**Spring located in Sec. 32, T6S- R5E - Application split 5/96 with BLM**  
**Water Right No. 51-07312A for 0.10 cfs for Maggie Creek Ranch, L.P., a**  
**Delaware limited partnership.**

**Adl. Claim No. 51-10373 - Priority 06/30/1968 - Stockwater and Domestic -**  
**0.23 cfs. Ground water located in Sec. 32 & 33, T5S-R5E - Beneficial use -**  
**Objection pending.**

**PARCEL NO. 1:**

In Township 5 South, Range 4 East, B. M., Owyhee County, Idaho

-07127 Section 36: E1/2, NW1/4, N1/2 SW1/4  
547**PARCEL NO. 2:**

In Township 5 South, Range 4 East, B. M., Owyhee County, Idaho

07037 140 Section 24: E1/2 SW1/4, W1/2 SE1/4

07037 80 Section 25: N1/2 NW1/4

07037 80 Section 26: E1/2 NE1/4

**PARCEL NO. 3:**

In Township 5 South, Range 4 East, B. M., Owyhee County, Idaho

-07037 200 Section 25: S1/2 NW1/4, N1/2 SW1/4, SE1/4 SW1/4

**PARCEL NO. 4:**

In Township 5 South, Range 4 East, B. M., Owyhee County, Idaho

-07037 80 Section 25: S1/2 SE1/4

In Township 5 South, Range 5 East, B. M., Owyhee County, Idaho

07037 61 Section 30: Lots 10 and 11

07037 120 Section 31: Lots 1, 2, and 3, N1/2 NE1/4

07037 61

**PARCEL NO. 5:**

In Township 5 South, Range 5 East, B. M., Owyhee County, Idaho

-07025-66 Section 28: SW1/4 SE1/4, SE1/4 SW1/4, S1/2 NE1/4 SW1/4 SW1/4,

-07025-18 E1/2 W1/2 SW1/4 SW1/4 SW1/4, E1/2 SW1/4 SW1/4 SW1/4, SE1/4 SW1/4 SW1/4

07040-170 Section 31: Lots 5, 6, and 7, S1/2 NE1/4, N1/2 SE1/4

-07025-171 Section 32: NE1/4, E1/2 NW1/4, NW1/4 NW1/4, SW1/4 NW1/4, N1/2 SE1/4, S1/2 SE1/4

-07025-111 Section 33: NW1/4 NE1/4, N1/2 NW1/4, N1/2 N1/2 SW1/4 NE1/4, SW1/4 NW1/4,

-07025-66 N1/2 N1/2 SE1/4 NW1/4

In Township 6 South, Range 5 East, B. M., Owyhee County, Idaho

07011 221 Section 4: S1/2 NW1/4, SW1/4

-07010 219 Section 5: Lots 1, 2, and 3, S1/2 NE1/4, SE1/4 NW1/4, NE1/4 SE1/4,

-07021-50 N1/2 SW1/4 SE1/4 SE1/4, N1/2 SE1/4 SE1/4, SE1/4 SE1/4 SE1/4

**PARCEL 6:**

In Township 5 South, Range 5 East, B. M., Owyhee County, Idaho

-07033 170 Section 31: Lots 11 and 12, SW1/4 SE1/4

In Township 6 South, Range 5 East, B. M., Owyhee County, Idaho

-07034 160 Section 5: Lot 4, SW1/4 NW1/4, N1/2 SW1/4

-07033 169 Section 6: Lots 1, 2, 3 and 4, SE1/4 NE1/4, SW1/4 NE1/4, SE1/4 NW1/4, N1/2 SE1/4

-07034 160

**PARCEL 7:**

In Township 5 South, Range 5 East, B. M., Owyhee County, Idaho

-07028 160 Section 19: SE1/4

-150 Section 30: NE1/4

FILED-RECORDED

'98 JAN 13 PM 1 10

JIM HUNTLEY JR.

OWYHEE COUNTY RECORDER

BY B. W. Huntley  
DEPUTY

REQUEST OF

FEE 1.02

02-07025-47 02-07350-50  
02-07020-14  
02-07025-13

**PIONEER TITLE COMPANY OF CANYON COUNTY  
OWYHEE OFFICE**

100 10th Avenue South  
Nampa, ID 83651  
466-6100  
Telefax No. (208) 466-6558

TO:

**Kenneth B. Todd  
5040 Allamar Drive  
Boise, ID 83704**

Order No.: PO1742  
Your file:  
Re: Maggie Creek  
Ranch/HILLIARD  
Date: 11/3/98

In connection with the above-referenced order, we enclose the following PER YOUR REQUEST:

- ( ) Title Commitment
- ( ) Datedown Endorsement
- ( ) Insuring Information Endorsement
- ( ) Title Policy
- ( ) Endorsements
- ( ) Trustee's Sale Guarantee
- ( ) Litigation Guarantee
- ( ) Lot Book Guarantee
- ( ) Statement
- ( )
- (x) Copies of Deeds #210213, 211173, 212822, 223765, 223764, 223766, 223767, 223768
- ( ) Original Documents:

Your Escrow Officer for this transaction is:

Thank you for this opportunity to assist you with your real estate transactions. Please call again.

Title Officer  
**JONATHAN MABBUTT**

# WARRANTY DEED

For Value Received

CHESTER J. TINDALL and JESSIE J. TINDALL, husband and wife

the grantor s, do hereby grant, bargain, sell and convey unto

MAGGIE CREEK RANCH, INC., a Nevada corporation

the grantee s, whose current address is, P. O. Box 1360, Elko, NV 89803  
the following described premises to-wit:

The following real property as more fully set forth and described  
on Exhibit "A" attached hereto and by reference thereto made a  
part hereof:

TOGETHER WITH all water and water rights appurtenant thereto,

SUBJECT TO exceptions and reservations contained in patents from  
the United States.

SUBJECT TO all easements, restrictions and reservations of  
record and of use.

FILED - RECORDED  
93 MAY 3 AM 10 29  
BARBARA JAYO  
OWYHEE COUNTY RECORDER  
BY *[Signature]*  
DEPUTY  
REQUEST OF  
O.C.T.  
FE 6.00

210213

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee ,  
its heirs and assigns forever. And the said Grantor s do hereby covenant to and  
with the said Grantee , that t hey are the owner s in fee simple of said premises; that said  
premises are free from all incumbrances except taxes and assessments for the  
year 1993 and subsequent years and subject to the terms and  
conditions of certain CRP contracts which restrict the use of  
certain portions of the property  
and that they will warrant and defend the same from all lawful claims whatsoever.  
Dated: April 29, 1993

*[Signature]*  
Chester J. Tindall

*[Signature]*  
Jessie J. Tindall

STATE OF IDAHO, COUNTY OF Owyhee  
On this 27th day of April, 1993.  
before me, a notary public in and for said State, personally  
appeared Chester J. Tindall and  
Jessie Tindall

known to me to be the person s whose names are  
subscribed to the within instrument, and acknowledged to  
me that they executed the same.

*[Signature]*  
Notary Public  
Residing at \_\_\_\_\_, Idaho  
Comm. Expires 7-10-93

STATE OF IDAHO, COUNTY OF  
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 \_\_\_\_\_

Ex-Officio Recorder

By \_\_\_\_\_ Deputy.  
Fees \$ \_\_\_\_\_  
Mail to: \_\_\_\_\_

INSTRUMENT NO.

Exhibit "A" to Warranty Deed - Tindall to Maggie Creek Ranch

PARCEL NO. I:

IN TOWNSHIP 5 SOUTH, RANGE 5 EAST, B.M., OWYHEE COUNTY, IDAHO

Section 28: SW $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ , E $\frac{1}{4}$ W $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
E $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 31: Lots 5, 6, and 7, S $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{4}$ SE $\frac{1}{4}$

Section 32: NE $\frac{1}{4}$ , E $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{4}$ SE $\frac{1}{4}$ , S $\frac{1}{4}$ SE $\frac{1}{4}$

Section 33: NW $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{4}$ N $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{4}$ N $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$

IN TOWNSHIP 6 SOUTH, RANGE 5 EAST, B.M., OWYHEE COUNTY, IDAHO

Section 4: S $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$

Section 5: Lots 1, 2, and 3, S $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
N $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ , N $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$

PARCEL NO. II:

IN TOWNSHIP 5 SOUTH, RANGE 5 EAST, B.M., OWYHEE COUNTY, IDAHO

Section 31: Lots 11 and 12, SW $\frac{1}{4}$ SE $\frac{1}{4}$

IN TOWNSHIP 6 SOUTH, RANGE 5 EAST, B.M., OWYHEE COUNTY, IDAHO

Section 5: Lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{4}$ SW $\frac{1}{4}$

Section 6: Lots 1, 2, 3 and 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{4}$ SE $\frac{1}{4}$

J.J.2. cjs.

# WARRANTY DEED

For Value Received

CHESTER J. TINDALL and JESSIE J. TINDALL, husband and wife

the grantor s, do hereby grant, bargain, sell and convey unto

MAGGIE CREEK RANCH, INC., a Nevada corporation

the grantee s, whose current address is,  
the following described premises, to-wit:

IN TOWNSHIP 5 SOUTH, RANGE 5 EAST, B.M., OWYHEE COUNTY, IDAHO

Section 19: SE $\frac{1}{4}$

Section 30: NE $\frac{1}{4}$

TOGETHER WITH all water and water rights appurtenant thereto,

SUBJECT TO exceptions and reservations contained in patents from  
the United States.

SUBJECT TO all easements, restrictions and reservations of  
record and of use.

FILED-RECORDED  
93 SEP 23 AM 9 15  
CLERK OF COUNTY RECORDER  
OWYHEE COUNTY  
REQUEST OF  
D.C.T.  
FEE 3.00

211173

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 said  
premises are free from all incumbrances except taxes and assessments for the  
year 1993 and subsequent years and subject to the terms and  
conditions of certain CRP contracts which restrict the use of  
certain portions of the property  
and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: April 29, 1993

*Chester J. Tindall*  
Chester J. Tindall

*Jessie J. Tindall*  
Jessie J. Tindall

STATE OF IDAHO, COUNTY OF Owyhee

On this 29th day of April, 1993,  
before me, a notary public in and for said State, personally  
appeared Chester J. Tindall and  
Jessie Tindall

known to me to be the person s whose names are  
subscribed to the within instrument, and acknowledged to  
me that they executed the same.

*John L. Smith*

Notary Public  
Residing at \_\_\_\_\_, Idaho  
Comm. Expires \_\_\_\_\_

STATE OF IDAHO, COUNTY OF

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 \_\_\_\_\_

Ex-Officio Recorder

By \_\_\_\_\_ Deputy.  
Fees \$ \_\_\_\_\_  
Mail to: \_\_\_\_\_

INSTRUMENT No.

**WARRANTY DEED**  
(CORPORATE FORM)

TWIFORD RANCH, INC. , a corporation  
organized and existing under the laws of the State of Idaho, with its principal office at 1416 Fillmore  
Caldwell of County of Canyon , State of Idaho, 83605  
grantor, hereby CONVEYS or GRANTS and WARRANTS TO  
JOHN W. DIXON, a married man

of 4380 SW Mac Adam Ave., Suite 460, Portland, OR 97201 grantee  
for the sum of

Ten Dollars (\$10.00) and other valuable consideration  
the following described tract(s) of land in Owyhee County,  
State of Idaho:

PARCEL NO. 1:  
IN TOWNSHIP 5 SOUTH, RANGE 4 EAST, B. M., OWYHEE COUNTY, IDAHO  
Section 36: E½, NW¼, N½SW¼

PARCEL NO. 2:  
IN TOWNSHIP 5 SOUTH, RANGE 4 EAST, B. M., OWYHEE COUNTY, IDAHO  
Section 24: E½SW¼, W½SE¼  
Section 25: N½NW¼  
Section 26: E½NE¼

PARCEL NO. 3:  
IN TOWNSHIP 5 SOUTH, RANGE 4 EAST, B. M., OWYHEE COUNTY, IDAHO  
Section 25: S½NW¼, N½SW¼, SE½SW¼

PARCEL NO. 4:  
IN TOWNSHIP 5 SOUTH, RANGE 4 EAST, B. M., OWYHEE COUNTY, IDAHO  
Section 25: S½SE¼

IN TOWNSHIP 5 SOUTH, RANGE 5 EAST, B. M., OWYHEE COUNTY, IDAHO  
Section 30: Lots 10 and 11  
Section 31: Lots 1, 2, and 3, N½NE¼

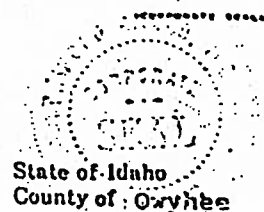
Together with all water rights, ditch rights, rights of way,  
tenements, hereditaments and appurtenances thereto belonging or  
used in connection therein.

Subject to exceptions and reservations contained in patents from  
the United States.

Subject to all easements, restrictions and reservations of record  
and of use.

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was  
duly authorized under a resolution duly adopted by the board of directors of the grantor at a lawful meet-  
ing duly held and attended by a quorum.

In witness whereof, the grantor has caused its corporate name and seal to be hereunto affixed by its  
duly authorized officers this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 19\_\_



Twiford Ranch, Inc.  
\_\_\_\_\_  
(CORPORATE NAME)  
By Jack I. Twiford  
\_\_\_\_\_  
PRESIDENT  
Attest: \_\_\_\_\_  
\_\_\_\_\_  
SECRETARY

State of Idaho  
County of Owyhee

33.

On the \_\_\_\_\_ day of \_\_\_\_\_, A. D. 19\_\_  
personally appeared before me Jack I. Twiford and  
who being by me duly sworn did say, each for himself, that he, the said Jack I. Twiford  
is the president, and he, the said \_\_\_\_\_ is the secretary  
of Twiford Ranch, Inc., a corporation, and that the within and  
foregoing instrument was signed in behalf of said corporation by authority of a resolution of its board  
of directors and said Jack I. Twiford and \_\_\_\_\_  
each duly acknowledged to me that said corporation executed the same and that the seal affixed is the  
seal of said corporation.

NOTARY SEAL



\_\_\_\_\_  
(NOTARY PUBLIC)  
My residence is Moridian, ID  
My commission expires April 25, 2000

212822

FILED-RECORDED

'94 MAR 13 PM 3 39

*E. Sherburne*

REQUEST OF

*Campbell, L.*

3.00

# QUITCLAIM DEED

THIS INDENTURE, made and entered into as of the 23 day of December 1997, by and between John W. Dixon, a married man dealing with his sole and separate property, of Portland, Oregon, First Party, and Maggie Creek Ranch, Inc., a Nevada corporation, Second Party,

## WITNESSETH:

That the said First Party, for and in consideration of the sum of TEN DOLLARS (\$10.00), lawful money of the United States of America, to him in hand paid by the said Second Party and other good and valuable consideration, receipt whereof is hereby acknowledged, does by these presents remise, release and forever quitclaim unto the said Second Party, and to its successors and assigns, all of his right, title and interest in and to all that certain real property situate in the County of Owyhee, State of Idaho, more particularly described as follows:

### Parcel No. 1:

Township 5 South, Range 4 East, B.M., Owyhee County, Idaho

Section 36: E $\frac{1}{2}$ ; NW $\frac{1}{4}$ ; N $\frac{1}{2}$ SW $\frac{1}{2}$

### Parcel No. 2:

Township 5 South, Range 4 East, B.M., Owyhee County, Idaho

Section 24: E $\frac{1}{2}$ SW $\frac{1}{4}$ ; W $\frac{1}{2}$ SE $\frac{1}{4}$

Section 25: N $\frac{1}{2}$ NW $\frac{1}{4}$

Section 26: E $\frac{1}{2}$ NE $\frac{1}{4}$

### Parcel No. 3:

Township 5 South, Range 4 East, B.M., Owyhee County, Idaho

Section 25: S $\frac{1}{2}$ NW $\frac{1}{4}$ ; N $\frac{1}{2}$ SW $\frac{1}{4}$ ; SE $\frac{1}{4}$ SW $\frac{1}{4}$

WILSON AND BARROWS, LTD.

ATTORNEYS AT LAW  
P.O. BOX 389

ELKO, NEVADA 89801-0389

**Parcel No. 4:**

Township 5. South, Range 4 East, B.M., Owyhee County, Idaho

Section 25: S $\frac{1}{2}$ SE $\frac{1}{4}$

Township 5 South, Range 5 East, B.M., Owyhee County, Idaho

Section 30: Lots 10 and 11

Section 31: Lots 1, 2 and 3, N $\frac{1}{2}$ NE $\frac{1}{4}$

**Parcel No. 5:**

Township 5 South, Range 5 East, B.M., Owyhee County, Idaho

Section 19: SE $\frac{1}{4}$

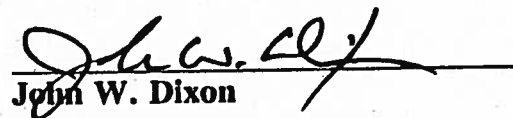
Section 30: NE $\frac{1}{4}$

**TOGETHER WITH** all improvements situate thereon.

**TOGETHER WITH** all water rights, ditch rights, rights of way, tenements, hereditaments and appurtenances thereto belonging or used in connection therein.

**TO HAVE AND TO HOLD** the said premises, together with the appurtenances, unto the said Second Party, and to its successors and assigns forever.

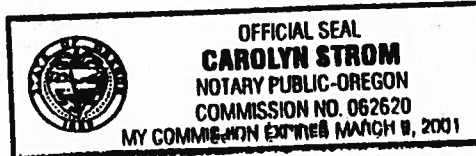
**IN WITNESS WHEREOF**, the said First Party has hereunto set his hand as of the day and year first hereinabove written.

  
John W. Dixon

STATE OF OREGON, )  
 ) ss.  
COUNTY OF Multnomah

On December 23, 1997, personally appeared before me, a Notary Public, John W. Dixon, personally known (or proved) to me to be the person whose name is subscribed to the above instrument who acknowledged that he executed the above instrument.

Carolyn Strom  
NOTARY PUBLIC



Mailing Address for Grantee:

Maggie Creek Ranch, Inc.  
P. O. Box 159  
Elko, NV 89803

Assessor's Parcel No.: \_\_\_\_\_

8/23/97, 1997

RECORDED  
BY [Signature]  
DEPUTY

JIM HUNTER JR.  
OWYHEE COUNTY RECORDER  
BY [Signature]  
DEPUTY

'98 JAN 13 PM 1 10

FILED-RECORDED

223765

# QUITCLAIM DEED

THIS INDENTURE, made and entered into as of the 23<sup>rd</sup> day of December 1997,  
by and between Harriett H. Dixon, an unmarried woman of Portland, Oregon, First Party, and  
Maggie Creek Ranch, Inc., a Nevada corporation, Second Party,

## WITNESSETH:

WHEREAS, the First Party was formerly married to John W. Dixon when he  
acquired title to the property hereinafter described, and

WHEREAS, the First Party and John W. Dixon are now divorced, and the First  
Party claims no right, title or interest in said property, which John W. Dixon has conveyed to the  
Second Party on even date herewith,

NOW THEREFORE, First Party, for good and valuable consideration, receipt  
whereof is hereby acknowledged, does by these presents remise, release and forever quitclaim  
unto the said Second Party, and to its successors and assigns, all of her right, title and interest in  
and to that certain real property situate in the County of Owyhee, State of Idaho, more particularly  
described as follows:

### **Parcel No. 1:**

Township 5 South, Range 4 East, B.M., Owyhee County, Idaho

Section 36: E $\frac{1}{2}$ ;NW $\frac{1}{4}$ ;N $\frac{1}{2}$ SW $\frac{1}{2}$

### **Parcel No. 2:**

Township 5 South, Range 4 East, B.M., Owyhee County, Idaho

Section 24: E $\frac{1}{2}$ SW $\frac{1}{4}$ ;W $\frac{1}{2}$ SE $\frac{1}{4}$

Section 25: N $\frac{1}{2}$ NW $\frac{1}{4}$

Section 26: E $\frac{1}{2}$ NE $\frac{1}{4}$

**WILSON AND BARROWS, LTD.**

ATTORNEYS AT LAW  
P.O. BOX 389

ELKO, NEVADA 89801-0389

**Parcel No. 3:**

Township 5 South, Range 4 East, B.M., Owyhee County, Idaho

Section 25: S $\frac{1}{2}$ NW $\frac{1}{4}$ ; N $\frac{1}{2}$ SW $\frac{1}{4}$ ; SE $\frac{1}{4}$ SW $\frac{1}{4}$

**Parcel No. 4:**

Township 5, South, Range 4 East, B.M., Owyhee County, Idaho

Section 25: S $\frac{1}{2}$ SE $\frac{1}{4}$

Township 5 South, Range 5 East, B.M., Owyhee County, Idaho

Section 30: Lots 10 and 11

Section 31: Lots 1, 2 and 3, N $\frac{1}{2}$ NE $\frac{1}{4}$

**Parcel No. 5:**

Township 5 South, Range 5 East, B.M., Owyhee County, Idaho

Section 19: SE $\frac{1}{4}$

Section 30: NE $\frac{1}{4}$

**TOGETHER WITH** all improvements situate thereon.

**TOGETHER WITH** all water rights, ditch rights, rights of way, tenements, hereditaments and appurtenances thereto belonging or used in connection therein.

**TO HAVE AND TO HOLD** the said premises, together with the appurtenances, unto the said Second Party, and to its successors and assigns forever.

**IN WITNESS WHEREOF**, the said First Party has hereunto set her hand as of the day and year first hereinabove written.



Harriett H. Dixon

STATE OF OREGON,       )  
                                  ) ss.  
COUNTY OF Multnomah )

On January 7<sup>th</sup>, 1998, personally appeared before me, a Notary Public, Harriett H. Dixon, personally known ~~(or proved)~~ to me to be the person whose name is subscribed to the above instrument who acknowledged that she executed the above instrument.



Linda M. Burton  
NOTARY PUBLIC

Mailing Address for Grantee:

Maggie Creek Ranch, Inc.  
P. O. Box 159  
Elko, NV 89803

Assessor's Parcel No.: \_\_\_\_\_

JAN 14 1998

QUESTOR  
H. Dixon

JIM HUNTER JR.  
ORWHEE COUNTY RECORDER  
BY [Signature]  
DEPUTY

JAN 13 PM 1 10

FILED - RECORDED

223764

## **BARGAIN AND SALE DEED**

FOR VALUE RECEIVED, Maggie Creek Ranch, Inc., a Nevada corporation, herein referred to as GRANTOR, does hereby grant, bargain, sell and convey unto William L. Searle, a married man dealing with his sole and separate property, residing at Lake Forest, Illinois; Marion S. Searle, a married woman dealing with her sole and separate property, residing at Lake Forest, Illinois; Elizabeth S. Reichert, a married woman dealing with her sole and separate property, residing at Englewood, Colorado; and Louise S. Klarr, a married woman dealing with her sole and separate property, jointly and severally as GRANTEES and whose collective address is Kinship Corporation, 400 Skokie Blvd., Suite 300, Northbrook, IL, 60062, and to their respective heirs and assigns, all of its right, title and interest in and to the real property described on Exhibit A attached hereto and by this reference made a part hereof as though fully set forth herein, all of which property is located in the County of Owyhee, State of Idaho in the following manner and proportions:

1. An undivided 93.595% interest in said property unto William L. Searle;
2. An undivided 2.135% interest in said property unto Marion S. Searle;
3. An undivided 2.135% interest in said property unto Elizabeth S. Reichert;
4. An undivided 2.135% interest in said property unto Louise S. Klarr.

TO HAVE AND TO HOLD the said premises, together with all improvements situate thereon and the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining thereto, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof unto the said GRANTEES as tenants in common, and to their respective heirs, successors and assigns forever.

TOGETHER WITH all water, water rights, rights to the use of water, whether surface or underground or otherwise, whether vested, permitted, certificated, decreed or otherwise and whether present or future, and all water available through irrigation projects, whether public or private, now or hereafter used or enjoyed in connection therewith, for irrigation, stock watering, domestic or any other use, or for the drainage of all or any part of the real property, together with all rights and ownership in any water stock owned in connection with the right to receive water for use upon on in connection with the real property, together with all dams, ditches, canals, pipelines, reservoirs, wells and all other means for the diversion or use of water appurtenant to the real property, or any part thereof.

TOGETHER WITH all easements and rights-of-way appurtenant thereto.

IN WITNESS WHEREOF The GRANTOR has hereunto set its hand this 30<sup>th</sup> day of December, 1997.

223100  
FILED-RECORDED

'98 JAN 13 PM 1 10

JIM HUNTLEY JR.  
OWNEE COUNTY RECORDER  
BY [Signature] DEPUTY

REQUEST OF  
[Signature]  
FEE \$10

GRANTOR

Maggie Creek Ranch, Inc.,  
a Nevada corporation

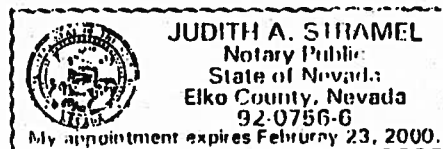
By: Wayne Fahsholtz  
Wayne Fahsholtz  
Title: President

STATE OF NEVADA,       )  
                                      : ss  
COUNTY OF ELKO.       )

On this 30<sup>th</sup> day of December, 1997, before me, the undersigned, a notary public in and for said state, personally appeared Wayne Fahsholtz, known or identified to me to be the President of Maggie Creek Ranch, Inc., the corporation that executed the instrument or the person 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 in this certificate first above written.

Judith A. Stramel  
NOTARY PUBLIC FOR NEVADA  
Residing at \_\_\_\_\_  
Commission Expires \_\_\_\_\_



RECORDED 1997

## EXHIBIT A

Commitment No.: PO1742

The land referred to in this commitment/policy is situated in the State of Idaho, County of Owyhee and is described as follows:

**PARCEL NO. 1:**

In Township 5 South, Range 4 East, B. M., Owyhee County, Idaho  
Section 36: E1/2, NW1/4, N1/2 SW1/4

**PARCEL NO. 2:**

In Township 5 South, Range 4 East, B. M., Owyhee County, Idaho  
Section 24: E1/2 SW1/4, W1/2 SE1/4  
Section 25: N1/2 NW1/4  
Section 26: E1/2 NE1/4

**PARCEL NO. 3:**

In Township 5 South, Range 4 East, B. M., Owyhee County, Idaho  
Section 25: S1/2 NW1/4, N1/2 SW1/4, SE1/4 SW1/4

**PARCEL NO. 4:**

In Township 5 South, Range 4 East, B. M., Owyhee County, Idaho  
Section 25: S1/2 SE1/4

In Township 5 South, Range 5 East, B. M., Owyhee County, Idaho  
Section 30: Lots 10 and 11  
Section 31: Lots 1, 2, and 3, N1/2 NE1/4

**PARCEL NO. 5:**

In Township 5 South, Range 5 East, B. M., Owyhee County, Idaho  
Section 28: SW1/4 SE1/4, SE1/4 SW1/4, S1/2 NE1/4 SW1/4 SW1/4,  
E1/2 W1/2 SW1/4 SW1/4 SW1/4, E1/2 SW1/4 SW1/4 SW1/4, SE1/4 SW1/4 SW1/4  
Section 31: Lots 5, 6, and 7, S1/2 NE1/4, N1/2 SE1/4  
Section 32: NE1/4, E1/2 NW1/4, NW1/4 NW1/4, SW1/4 NW1/4, N1/2 SE1/4, S1/2 SE1/4  
Section 33: NW1/4 NE1/4, N1/2 NW1/4, N1/2 N1/2 SW1/4 NE1/4, SW1/4 NW1/4,  
N1/2 N1/2 SE1/4 NW1/4

In Township 6 South, Range 5 East, B. M., Owyhee County, Idaho  
Section 4: S1/2 NW1/4, SW1/4  
Section 5: Lots 1, 2, and 3, S1/2 NE1/4, SE1/4 NW1/4, NE1/4 SE1/4,  
N1/2 SW1/4 SE1/4 SE1/4, N1/2 SE1/4 SE1/4, SE1/4 SE1/4 SE1/4

**PARCEL 6:**

In Township 5 South, Range 5 East, B. M., Owyhee County, Idaho  
Section 31: Lots 11 and 12, SW1/4 SE1/4

In Township 6 South, Range 5 East, B. M., Owyhee County, Idaho  
Section 5: Lot 4, SW1/4 NW1/4, N1/2 SW1/4  
Section 6: Lots 1, 2, 3 and 4, SE1/4 NE1/4, SW1/4 NE1/4, SE1/4 NW1/4, N1/2 SE1/4

**PARCEL 7:**

In Township 5 South, Range 5 East, B. M., Owyhee County, Idaho  
Section 19: SE1/4  
Section 30: NE1/4

## **BARGAIN AND SALE DEED**

**FOR VALUE RECEIVED, William L. Searle, a married man dealing with his sole and separate property, residing at Lake Forest, Illinois; Marion S. Searle, a married woman dealing with her sole and separate property, residing at Lake Forest, Illinois; Elizabeth S. Reichert, a married woman dealing with her sole and separate property, residing at Englewood, Colorado; and Louise S. Klarr, a married woman dealing with her sole and separate property, herein referred to as GRANTORS, do hereby grant, bargain, sell and convey unto Maggie Creek Ranch LP, a Delaware limited partnership, and Maggie Creek Ranch LLC, a Delaware limited liability company, as GRANTEES and whose collective address is 400 Skokie Blvd., Suite 300, Northbrook, IL, 60062, and to their respective successors and assigns, all of their right, title and interest in and to the real property described on Exhibit A attached hereto and by this reference made a part hereof as though fully set forth herein, all of which property is located in the County of Owyhee, State of Idaho in the following manner and proportions:**

- 1. An undivided 99.5% interest in said property unto Maggie Creek Ranch LP, a Delaware limited partnership;**
- 2. An undivided .5% interest in said property unto Maggie Creek Ranch LLC, a Delaware limited liability company.**

**TO HAVE AND TO HOLD the said premises, together with all improvements situate thereon and the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining thereto, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof unto the said GRANTEES as tenants in common, and to their respective successors and assigns forever.**

**TOGETHER WITH all water, water rights, rights to the use of water, whether surface or underground or otherwise, whether vested, permitted, certificated, decreed or otherwise and whether present or future, and all water available through irrigation projects, whether public or private, now or hereafter used or enjoyed in connection therewith, for irrigation, stock watering, domestic or any other use, or for the drainage of all or any part of the real property, together with all rights and ownership in any water stock owned in connection with the right to receive water for use upon on in connection with the real property, together with all dams, ditches, canals, pipelines, reservoirs, wells and all other means for the diversion or use of water appurtenant to the real property, or any part thereof.**

**TOGETHER WITH all easements and rights-of-way appurtenant thereto.**

IN WITNESS WHEREOF The GRANTORS have hereunto set their hands this  
31<sup>st</sup> day of December, 1997.

GRANTORS

William L. Searle  
William L. Searle

by Stewart R. Wilson  
Stewart R. Wilson, his Attorney-In-Fact

Marion S. Searle  
Marion S. Searle

by Stewart R. Wilson  
Stewart R. Wilson, her Attorney-In-Fact

Elizabeth S. Reichert  
Elizabeth S. Reichert

by Stewart R. Wilson  
Stewart R. Wilson, her Attorney-In-Fact

Louise S. Klarr  
Louise S. Klarr

by Stewart R. Wilson  
Stewart R. Wilson, her Attorney-In-Fact

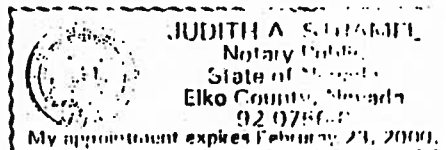
STATE OF NEVADA,       )  
                                      : ss  
COUNTY OF ELKO.       )

On this 31<sup>st</sup> day of December, 1997, before the undersigned, a notary public in and for said state, personally appeared Stewart R. Wilson, known or identified to me to be the person whose name is subscribed to the within instrument as attorney-in-fact of William L. Searle, Marion S. Searle, Elizabeth S. Reichert and Louise S. Klarr and acknowledged to me that he subscribed their names as principals and his own name as attorney-in-fact.

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

Judith A. Searle  
NOTARY PUBLIC FOR NEVADA  
Residing at \_\_\_\_\_  
My Commission Expires on \_\_\_\_\_

7-22-97-50, 1997



**PARCEL NO. 1:**

In Township 5 South, Range 4 East, B. M., Owyhee County, Idaho  
 Section 36: E1/2, NW1/4, N1/2 SW1/4

FILED-RECORDED

'98 JAN 13 PM 1 10

**PARCEL NO. 2:**

In Township 5 South, Range 4 East, B. M., Owyhee County, Idaho  
 Section 24: E1/2 SW1/4, W1/2 SE1/4  
 Section 25: N1/2 NW1/4  
 Section 26: E1/2 NE1/4

JIM HUNTLEY JR.  
 OWYHEE COUNTY RECORDER  
 BY B. Huntley  
 DEPUTY

**PARCEL NO. 3:**

In Township 5 South, Range 4 East, B. M., Owyhee County, Idaho  
 Section 25: S1/2 NW1/4, N1/2 SW1/4, SE1/4 SW1/4

SE 1/4  
B. Huntley  
 98

**PARCEL NO. 4:**

In Township 5 South, Range 4 East, B. M., Owyhee County, Idaho  
 Section 25: S1/2 SE1/4

In Township 5 South, Range 5 East, B. M., Owyhee County, Idaho  
 Section 30: Lots 10 and 11  
 Section 31: Lots 1, 2, and 3, N1/2 NE1/4

**PARCEL NO. 5:**

In Township 5 South, Range 5 East, B. M., Owyhee County, Idaho  
 Section 28: SW1/4 SE1/4, SE1/4 SW1/4, S1/2 NE1/4 SW1/4 SW1/4,  
 E1/2 W1/2 SW1/4 SW1/4 SW1/4, E1/2 SW1/4 SW1/4 SW1/4, SE1/4 SW1/4 SW1/4  
 Section 31: Lots 5, 6, and 7, S1/2 NE1/4, N1/2 SE1/4  
 Section 32: NE1/4, E1/2 NW1/4, NW1/4 NW1/4, SW1/4 NW1/4, N1/2 SE1/4, S1/2 SE1/4  
 Section 33: NW1/4 NE1/4, N1/2 NW1/4, N1/2 N1/2 SW1/4 NE1/4, SW1/4 NW1/4,  
 N1/2 N1/2 SE1/4 NW1/4

In Township 6 South, Range 5 East, B. M., Owyhee County, Idaho

Section 4: S1/2 NW1/4, SW1/4

Section 5: Lots 1, 2, and 3, S1/2 NE1/4, SE1/4 NW1/4, NE1/4 SE1/4,  
 N1/2 SW1/4 SE1/4 SE1/4, N1/2 SE1/4 SE1/4, SE1/4 SE1/4 SE1/4

**PARCEL 6:**

In Township 5 South, Range 5 East, B. M., Owyhee County, Idaho  
 Section 31: Lots 11 and 12, SW1/4 SE1/4

In Township 6 South, Range 5 East, B. M., Owyhee County, Idaho

Section 5: Lot 4, SW1/4 NW1/4, N1/2 SW1/4

Section 6: Lots 1, 2, 3 and 4, SE1/4 NE1/4, SW1/4 NE1/4, SE1/4 NW1/4, N1/2 SE1/4

**PARCEL 7:**

In Township 5 South, Range 5 East, B. M., Owyhee County, Idaho

Section 19: SE1/4

Section 30: NE1/4

# BARGAIN AND SALE DEED

FOR VALUE RECEIVED, Maggie Creek Ranch LLC, a Delaware limited liability company, herein referred to as GRANTOR, does hereby grant, bargain, sell and convey unto Maggie Creek Ranch LP, a Delaware limited partnership, as GRANTEE and whose address is 400 Skokie Blvd., Suite 300, Northbrook, IL, 60062, and to its successors and assigns, all of its right, title and interest in and to the real property described on Exhibit A attached hereto and by this reference made a part hereof as though fully set forth herein, all of which property is located in the County of Owyhee, State of Idaho in the following manner and proportions:

1. An undivided .5% interest in said property unto Maggie Creek Ranch LP, a Delaware limited partnership;

TO HAVE AND TO HOLD the said premises, together with all improvements situate thereon and the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining thereto, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof unto the said GRANTEE, and to its successors and assigns forever.

TOGETHER WITH all water, water rights, rights to the use of water, whether surface or underground or otherwise, whether vested, permitted, certificated, decreed or otherwise and whether present or future, and all water available through irrigation projects, whether public or private, now or hereafter used or enjoyed in connection therewith, for irrigation, stock watering, domestic or any other use, or for the drainage of all or any part of the real property, together with all rights and ownership in any water stock owned in connection with the right to receive water for use upon on in connection with the real property, together with all dams, ditches, canals, pipelines, reservoirs, wells and all other means for the diversion or use of water appurtenant to the real property, or any part thereof.

TOGETHER WITH all easements and rights-of-way appurtenant thereto.

IN WITNESS WHEREOF The GRANTOR has hereunto set its hand this 31<sup>st</sup> day of December, 1997.

GRANTOR

Maggie Creek Ranch LLC,  
a Delaware limited liability company

By: Marion S. Searle  
Marion S. Searle - Managing Member

223768

FILED-RECORDED

'98 JAN 13 PM 1 10

JIM HUNTLEY JR.  
OWYHEE COUNTY RECORDER  
BY [Signature]  
DEPUTY

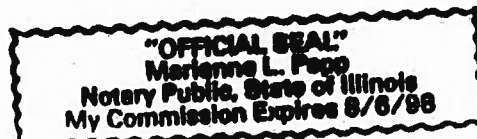
REQUEST OF

STATE OF Illinois, )  
COUNTY OF Lake, ) ss

On this 7th day of January 1998, before me, the undersigned, a notary public in and for said state, personally appeared Marion S. Searle, known or identified to me to be the Managing Member of Maggie Creek Ranch LLC, a Delaware limited liability company, the company that executed the instrument or the person who executed the instrument on behalf of said company, and acknowledged to me that such company executed the same.

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

Marienne L. Page  
NOTARY PUBLIC FOR State of Illinois  
Residing at 3160 Grandville, Duquoin, IL 60031  
My Commission Expires on 8/6/98



MAILED 1/7/98

EXHIBIT "A"

**PARCEL NO. 1:**

In Township 5 South, Range 4 East, B. M., Owyhee County, Idaho  
Section 36: E1/2, NW1/4, N1/2 SW1/4

**PARCEL NO. 2:**

In Township 5 South, Range 4 East, B. M., Owyhee County, Idaho  
Section 24: E1/2 SW1/4, W1/2 SE1/4  
Section 25: N1/2 NW1/4  
Section 26: E1/2 NE1/4

**PARCEL NO. 3:**

In Township 5 South, Range 4 East, B. M., Owyhee County, Idaho  
Section 25: S1/2 NW1/4, N1/2 SW1/4, SE1/4 SW1/4

**PARCEL NO. 4:**

In Township 5 South, Range 4 East, B. M., Owyhee County, Idaho  
Section 25: S1/2 SE1/4

In Township 5 South, Range 5 East, B. M., Owyhee County, Idaho  
Section 30: Lots 10 and 11  
Section 31: Lots 1, 2, and 3, N1/2 NE1/4

**PARCEL NO. 5:**

In Township 5 South, Range 5 East, B. M., Owyhee County, Idaho  
Section 28: SW1/4 SE1/4, SE1/4 SW1/4, S1/2 NE1/4 SW1/4 SW1/4,  
E1/2 W1/2 SW1/4 SW1/4 SW1/4, E1/2 SW1/4 SW1/4 SW1/4, SE1/4 SW1/4 SW1/4  
Section 31: Lots 5, 6, and 7, S1/2 NE1/4, N1/2 SE1/4  
Section 32: NE1/4, E1/2 NW1/4, NW1/4 NW1/4, SW1/4 NW1/4, N1/2 SE1/4, S1/2 SE1/4  
Section 33: NW1/4 NE1/4, N1/2 NW1/4, N1/2 N1/2 SW1/4 NE1/4, SW1/4 NW1/4,  
N1/2 N1/2 SE1/4 NW1/4

In Township 6 South, Range 5 East, B. M., Owyhee County, Idaho

Section 4: S1/2 NW1/4, SW1/4  
Section 5: Lots 1, 2, and 3, S1/2 NE1/4, SE1/4 NW1/4, NE1/4 SE1/4,  
N1/2 SW1/4 SE1/4 SE1/4, N1/2 SE1/4 SE1/4, SE1/4 SE1/4 SE1/4

**PARCEL 6:**

In Township 5 South, Range 5 East, B. M., Owyhee County, Idaho  
Section 31: Lots 11 and 12, SW1/4 SE1/4

In Township 6 South, Range 5 East, B. M., Owyhee County, Idaho

Section 5: Lot 4, SW1/4 NW1/4, N1/2 SW1/4  
Section 6: Lots 1, 2, 3 and 4, SE1/4 NE1/4, SW1/4 NE1/4, SE1/4 NW1/4, N1/2 SE1/4

**PARCEL 7:**

In Township 5 South, Range 5 East, B. M., Owyhee County, Idaho  
Section 19: SE1/4  
Section 30: NE1/4

## WARRANTY DEED

FOR VALUE RECEIVED Maggie Creek Ranch, L.P., a Delaware limited partnership

the Grantor, does hereby grant, bargain, sell and convey unto James C. Hilliard and Barbara G. Hilliard, husband and wife

the Grantees, whose address is 4401 S. Ocean Blvd, #7, Highland Beach,

the following described premises, to-wit:

FL  
33487

See attached Exhibit "A", which by this reference is made a part hereof, and is comprised of one (1) page.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that it is the owner in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 1998 and subsequent years, covenants, conditions, restrictions and easements of record; and that it will warrant and defend the same from all lawful claims whatsoever.

DATED: January 2, 1998

*James C. Hilliard*  
Maggie Creek Ranch, L.P., a Delaware limited partnership

STATE OF IDAHO

COUNTY OF CANYON

On this 2nd day of January in the year 1998, before me, a Notary Public, personally appeared Wayne L. Fahsholtz known or identified to me to be the partner(s) in the partnership of Maggie Creek Ranch, L.P., a Delaware limited partnership and the partner(s) who subscribed said partnership name to the foregoing instrument, and acknowledged to me that they executed the same in said partnership name.

*Wayne L. Fahsholtz*  
Notary Public  
Residing at Caldwell  
My commission expires 1-27-99

PIONEER TITLE COMPANY  
OF CANYON COUNTY

100 10TH AVE SOUTH  
NAMPA, IDAHO 83651

423 SOUTH KIMBALL  
CALDWELL, ID 83605

**PARCEL NO. 1:**

In Township 5 South, Range 4 East, B. M., Owyhee County, Idaho  
 Section 36: E1/2, NW1/4, N1/2 SW1/4

FILED-RECORDED

'98 JAN 13 PM 1 10

**PARCEL NO. 2:**

In Township 5 South, Range 4 East, B. M., Owyhee County, Idaho  
 Section 24: E1/2 SW1/4, W1/2 SE1/4  
 Section 25: N1/2 NW1/4  
 Section 26: E1/2 NE1/4

JIM HUNTER JR.  
 OWYHEE COUNTY RECORDER  
 BY R. J. Hunter  
 DEPUTY

**PARCEL NO. 3:**

In Township 5 South, Range 4 East, B. M., Owyhee County, Idaho  
 Section 25: S1/2 NW1/4, N1/2 SW1/4, SE1/4 SW1/4

**PARCEL NO. 4:**

In Township 5 South, Range 4 East, B. M., Owyhee County, Idaho  
 Section 25: S1/2 SE1/4

REQUEST OF  
J. J. Hunter  
 FEB 1998

In Township 5 South, Range 5 East, B. M., Owyhee County, Idaho  
 Section 30: Lots 10 and 11  
 Section 31: Lots 1, 2, and 3, N1/2 NE1/4

**PARCEL NO. 5:**

In Township 5 South, Range 5 East, B. M., Owyhee County, Idaho  
 Section 28: SW1/4 SE1/4, SE1/4 SW1/4, S1/2 NE1/4 SW1/4 SW1/4,  
 E1/2 W1/2 SW1/4 SW1/4 SW1/4, E1/2 SW1/4 SW1/4 SW1/4, SE1/4 SW1/4 SW1/4  
 Section 31: Lots 5, 6, and 7, S1/2 NE1/4, N1/2 SE1/4  
 Section 32: NE1/4, E1/2 NW1/4, NW1/4 NW1/4, SW1/4 NW1/4, N1/2 SE1/4, S1/2 SE1/4  
 Section 33: NW1/4 NE1/4, N1/2 NW1/4, N1/2 N1/2 SW1/4 NE1/4, SW1/4 NW1/4,  
 N1/2 N1/2 SE1/4 NW1/4

In Township 6 South, Range 5 East, B. M., Owyhee County, Idaho  
 Section 4: S1/2 NW1/4, SW1/4

Section 5: Lots 1, 2, and 3, S1/2 NE1/4, SE1/4 NW1/4, NE1/4 SE1/4,  
 N1/2 SW1/4 SE1/4 SE1/4, N1/2 SE1/4 SE1/4, SE1/4 SE1/4 SE1/4

**PARCEL 6:**

In Township 5 South, Range 5 East, B. M., Owyhee County, Idaho  
 Section 31: Lots 11 and 12, SW1/4 SE1/4

In Township 6 South, Range 5 East, B. M., Owyhee County, Idaho

Section 5: Lot 4, SW1/4 NW1/4, N1/2 SW1/4

Section 6: Lots 1, 2, 3 and 4, SE1/4 NE1/4, SW1/4 NE1/4, SE1/4 NW1/4, N1/2 SE1/4

**PARCEL 7:**

In Township 5 South, Range 5 East, B. M., Owyhee County, Idaho

Section 19: SE1/4

Section 30: NE1/4

**PARCEL NO. 1:**

In Township 5 South, Range 4 East, B. M., Owyhee County, Idaho

1-07127 Section 36: E1/2, NW1/4, N1/2 SW1/4  
547

FILED-RECORDED

'98 JAN 13 PM 1 10

**PARCEL NO. 2:**

In Township 5 South, Range 4 East, B. M., Owyhee County, Idaho

-07037 110 Section 24: E1/2 SW1/4, W1/2 SE1/4

-07037 80 Section 25: N1/2 NW1/4

-07037 82 Section 26: E1/2 NE1/4

JIM HUFFLEY JR.

OWYHEE COUNTY RECORDER

BY

DEPUTY

**PARCEL NO. 3:**

In Township 5 South, Range 4 East, B. M., Owyhee County, Idaho

-07036 200 Section 25: S1/2 NW1/4, N1/2 SW1/4, SE1/4 SW1/4

**PARCEL NO. 4:**

In Township 5 South, Range 4 East, B. M., Owyhee County, Idaho

-07036 80 Section 25: S1/2 SE1/4

In Township 5 South, Range 5 East, B. M., Owyhee County, Idaho

-07036 11 Section 30: Lots 10 and 11

-07036 120 Section 31: Lots 1, 2, and 3, N1/2 NE1/4

-07036 617

**PARCEL NO. 5:**

In Township 5 South, Range 5 East, B. M., Owyhee County, Idaho

-07036 66 Section 28: SW1/4 SE1/4, SE1/4 SW1/4, S1/2 NE1/4 SW1/4 SW1/4,

-07036 13 E1/2 W1/2 SW1/4 SW1/4 SW1/4, E1/2 SW1/4 SW1/4 SW1/4, SE1/4 SW1/4 SW1/4

-07036 170 Section 31: Lots 5, 6, and 7, S1/2 NE1/4, N1/2 SE1/4

-07036 171 Section 32: NE1/4, E1/2 NW1/4, NW1/4 NW1/4, SW1/4 NW1/4, N1/2 SE1/4, S1/2 SE1/4

-07036 111 Section 33: NW1/4 NE1/4, N1/2 NW1/4, N1/2 N1/2 SW1/4 NE1/4, SW1/4 NW1/4,

-07036 66 N1/2 N1/2 SE1/4 NW1/4

In Township 6 South, Range 5 East, B. M., Owyhee County, Idaho

-07036 72 Section 4: S1/2 NW1/4, SW1/4

-07036 219 Section 5: Lots 1, 2, and 3, S1/2 NE1/4, SE1/4 NW1/4, NE1/4 SE1/4,

-07036 50 N1/2 SW1/4 SE1/4 SE1/4, N1/2 SE1/4 SE1/4, SE1/4 SE1/4 SE1/4

**PARCEL 6:**

In Township 5 South, Range 5 East, B. M., Owyhee County, Idaho

-07036 170 Section 31: Lots 11 and 12, SW1/4 SE1/4

In Township 6 South, Range 5 East, B. M., Owyhee County, Idaho

-07036 160 Section 5: Lot 4, SW1/4 NW1/4, N1/2 SW1/4

-07036 169 Section 6: Lots 1, 2, 3 and 4, SE1/4 NE1/4, SW1/4 NE1/4, SE1/4 NW1/4, N1/2 SE1/4

-07036 160

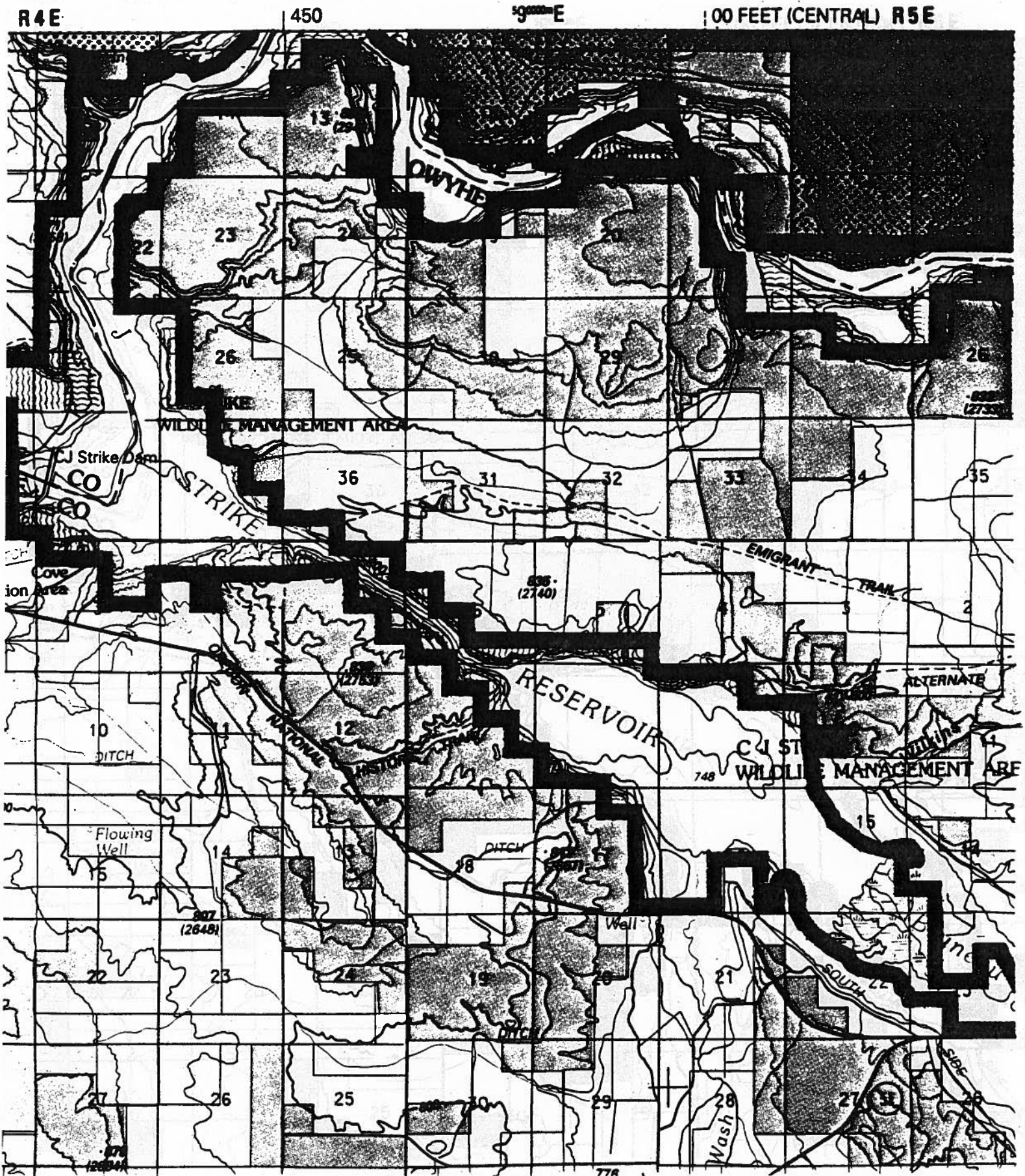
**PARCEL 7:**

In Township 5 South, Range 5 East, B. M., Owyhee County, Idaho

-07036 150 Section 19: SE1/4

-07036 150 Section 30: NE1/4

## NS FERRY, 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: A02-02406  
Date Received: 12/16/1988  
Receipt No: W001667  
Received By: Rch

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: CHESTER J. TINDALL 208-587-3798  
Address: 550 N 8TH E.  
MOUNTAIN HOME, ID 83647

2. Date of Priority: FEB 03, 1967

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 05S      | 05E   | 28      | NW     | NE     |     |     | OWYHEE |

5. Description of diverting works:  
600 HP MOTOR, SPRINKLER SYSTEM AND GRAVITY

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A.  |
|------------|-------|-------|-------|------|---------|
| IRRIGATION | 04/01 | 10/31 | 4.120 |      | 1030.00 |

7. Total Quantity Appropriated is:  
4.120 C.F.S. (and/or) 1030.00 A.F.A.

8. Total consumptive use is 721.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 05S      | 05E   | 31      | SW     | NE  |     | IRR | 38.0  |
|          |       |         | SE     | NE  |     | IRR | 39.0  |
|          |       |         | SW     | NW  | 5   | IRR | 18.0  |

A02-02406

Page

1

Date: 12/16/88

MICROFILMED

AUG 07 1992

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 05S      | 05E   | 31      | SE     | NW  | 6   | IRR           | 30.0  |
|          |       |         | NE     | SW  | 7   | IRR           | 2.0   |
|          |       |         | NE     | SE  |     | IRR           | 27.0  |
|          |       |         | NW     | SE  |     | IRR           | 16.0  |
|          |       |         |        |     |     | Section Acres | 170.0 |
|          |       | 32      | SW     | NW  |     | IRR           | 36.0  |
|          |       |         |        |     |     | Section Acres | 36.0  |
|          |       |         |        |     |     | Total Acres   | 206.0 |

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:  
02-7025, 02-7350, 02-00057

14. Remarks:

15. Basis of Claim: LICENSE  
Water Right Number: 33633

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): Chester J. Lindell Date: 12/16/88  
\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of ADA ) SS.

Subscribed and sworn (or affirmed) before me this \_\_\_\_\_ day  
of Dec 19 88

Ron Howerton  
Notary Public

Seal

Residing at 4200 Rumm  
Boise, Ida 83702

My Commission Expires 12-8-94

T5S

T6S





T5S

T6S

MICROFILMED  
AUG 17 1987

|            | PLAT FEE | JAN FEE                                                       |                              |
|------------|----------|---------------------------------------------------------------|------------------------------|
| 02-07025 = | 50.00    | 243.00<br>- 13 ACRES<br>= 230. ✓                              | 280.00                       |
| 2-02129 =  | 50.00    | 172.00 ✓                                                      | 222.00                       |
| 51-07132 = | 50.00    | <del>4.00 ✓</del>                                             | 54.00                        |
| 02-02406 = | 50.00    | 206. ✓                                                        | 256.00                       |
| 02-00057   | 50.00    | <del>10.00 ✓</del>                                            | 50.00                        |
| 02-07350   | 50.00    | 50.<br>- 14<br>= 36 ✓                                         | 86                           |
| 02-02130   | 50.00    | + 71.00 ✓<br>- 21<br>= 145                                    | 195.00 <del>169</del>        |
| 02-07020   | 50.00    | 233. ✓                                                        | 283 <del>2143</del><br>+ 4   |
| 02-07028   | 50.00    | 290. ✓                                                        | 340 <del>2147</del><br>+ 600 |
| 02-07034   | 50.00    | 300. ✓                                                        | 350 <del>2747.00</del>       |
| 02-07033   | 50.00    | 260. ✓                                                        | 310                          |
| 02-07021   | 50.00    | 271. ✓                                                        | 321                          |
| <hr/>      |          | <hr/>                                                         |                              |
| 600.00     |          | + <del>2173.269</del><br><del>600</del><br><del>2773.00</del> |                              |

MICROFILMED  
AUG 07 1992

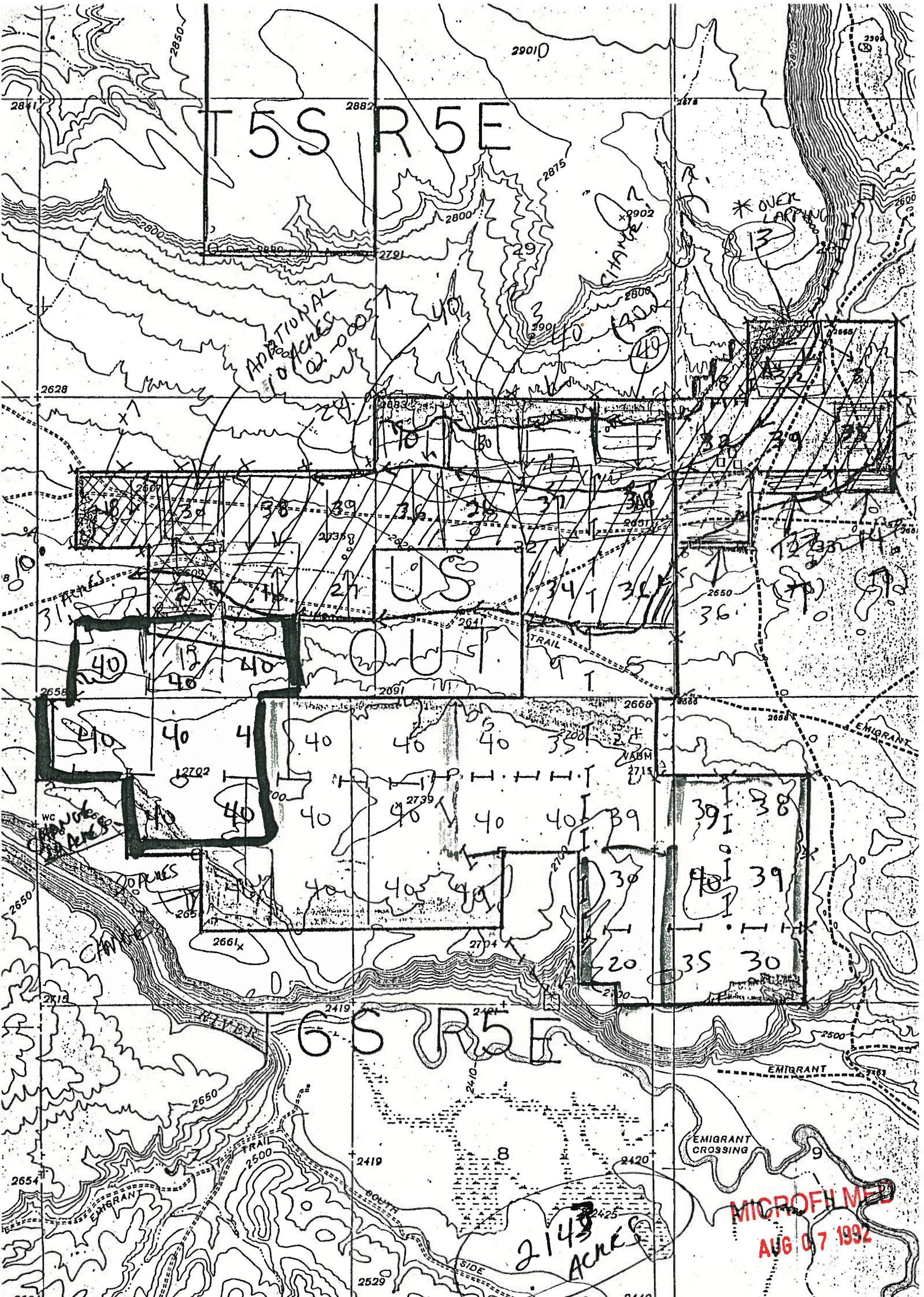
|                |   |                     |   |                                                               |
|----------------|---|---------------------|---|---------------------------------------------------------------|
| 206            | ✓ | A02-02406           |   | 206 ACRES                                                     |
| 172            | ✓ | 02-02129            |   | 172 ACRES                                                     |
| 10             | ✓ | 02-00057            |   | 10 ACRES                                                      |
| 50             | ✓ | 02-07350            |   | 50 ACRES                                                      |
| 171            | ✓ | 02-02130            |   | 171 ACRES                                                     |
| 243            | ✓ | 02-07025            |   | <del>265</del> ACRES                                          |
| 233            | ✓ | 02-07020            |   | 233                                                           |
| 300            | ✓ | 02-07034            |   | <del>320</del> <sup>300</sup> (SUBTRACT 20) NW SE SEC 6       |
| 271            | ✓ | 02-07021            |   | 271 ACRES                                                     |
| <del>290</del> | ✗ | 02-07028            |   | (THU SEPARATE TRACTS) <del>310</del> ACRES 290                |
| DOMESTIC       |   | 02-07132            | ✓ |                                                               |
| 260            | ✓ | 02-07033            |   | <del>289</del> <sup>260</sup> ACRES (SUBTRACT 20) SE NW SEC 6 |
|                |   | <del>51-07294</del> |   | this not approved yet.                                        |
| 2206           |   |                     |   |                                                               |

259 CHANGE TRACTS SE NW 7 SW NE 7

63 → CHANGE TRACTS 290  
 SW NE TO 33 ACRES  
 SE NE to 17 ACRES

2143

(2221)  
 - 63  
 13  
 2143  
 ACRES



|                                                                                                                                                                     |                              |                              |                                   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|------------------------------|-----------------------------------|
| Applicant<br><b>STANDARD CREDIT CORPORATION (AN IDAHO CORPORATION)</b>                                                                                              |                              | Acreage<br><b>2156 Acres</b> | Appraiser's Initials<br><b>LL</b> |
| State<br><b>Idaho</b>                                                                                                                                               | County<br><b>Owyhee</b>      | Date<br><b>1 May 1978</b>    | Scale<br><b>2 5/8" Per Mi.</b>    |
| <b>LEGEND</b>                                                                                                                                                       |                              |                              |                                   |
| Yellow - Cult. Land & Rot. Pasture                                                                                                                                  | Rivers, Streams, etc. (Blue) |                              |                                   |
| Green - Woods and Timber (///)                                                                                                                                      | Roads (Red)                  |                              |                                   |
| Blue - Native Hay                                                                                                                                                   | Barbed Fences                |                              |                                   |
| Brown - Permanent Pasture                                                                                                                                           | Well and Windmill            |                              |                                   |
| Orange - Groves, Orchards & Vineyards                                                                                                                               | Well and Pump                |                              |                                   |
| Buildings                                                                                                                                                           | Drainage Pumps               |                              |                                   |
| Other                                                                                                                                                               | Drainage Ditches             |                              |                                   |
| Designate other features; i.e. ages of trees & vines by blocks, soil bank land, machine leveled land, waste land, wind machines, power lines, telephone lines, etc. |                              |                              |                                   |
| <b>FARM PLAT</b> CONNECTICUT GENERAL LIFE INSURANCE COMPANY                                                                                                         |                              |                              |                                   |
| Little Valley Sch                                                                                                                                                   |                              |                              |                                   |

OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

# NOTICE OF CLAIM TO A WATER RIGHT

|          |             |
|----------|-------------|
| 02-2406  |             |
| I.D. No. | Map No.     |
| \$ 10    | 19413       |
| Fee Paid | Receipt No. |

Telephone No. 587-3798

(Zip Code)

600 hp motor, sprinkler system and gravity

[illegible]Total no. of acres 242.20

~~B) If water is used for water...~~

**NOTE:** Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks

(9) Basis of claim (Check one)

☐ A) Right based on diversion and beneficial use.

☐ B) Right decreed by court, cite title of case.

☒ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. 02-2406

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual Stanley Credit Corp.

(Date)

State of Idaho

## Organization

County of Ada

Seal

(Signature of Authorized Agent)

On this 8 day of June in the year 1981 before me  
a notary public, personally appeared Chester L. Tindall

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or ) executed the same.

**My commission expires**

Notary Public residing at

State of Idaho  
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by JKN

Date 3/17/82

Right No. 02-2406

Claimant Chester Tindall

Recommendation differs from claim: ☒ Yes ☐ No ☐ Disallow  
(Document any differences)

Claim Details Verified Against:

Check (X or ✓) those searched. Circle records used for recommendation.  
Include copies or memos where applicable to explain findings.

- ☒ License
- ☐ Previous Statutory Claim.
- ☐ Permits, valid or lapsed. Number(s) if different than above \_\_\_\_\_
- ☐ Decree. Name & date \_\_\_\_\_
- ☐ Conveyance Loss Calculations. See printout included.
- ☐ Title abstract. ☐ In file. Or, Name & location \_\_\_\_\_
- ☐ County records. ☐ In file. Or, Name & location \_\_\_\_\_
- ☐ Affidavits. ☐ In file.
- ☐ Posted Notices, Water Locations Notices. ☐ In file.
- ☐ Deed Records. ☐ In file. Or, Name & location \_\_\_\_\_
- ☐ Patent Records. ☐ In file. Or, Name & location \_\_\_\_\_

- ☐ Metzker Maps. Identify \_\_\_\_\_
- ☒ A.S.C.S. Records. Year & Photograph No. 1977
- ☐ Irrigation Company/District Records. ☐ In file. Or Name & location \_\_\_\_\_
- ☐ Historical Books. Name(s) & location \_\_\_\_\_

☐ Interview(s). Attach conversation memorandum.

☐ Other \_\_\_\_\_

☐ \_\_\_\_\_

Field Exam Made: ☒ Yes ☐ No Date \_\_\_\_\_

☒ Adj. Report in file ☒ Beneficial Use Report in License (S.O.) File

Measurement 170 cfs. Amount recommended 412 cfs.  
Type of measuring device: \_\_\_\_\_ Meter No. \_\_\_\_\_  
Condition \_\_\_\_\_ Date \_\_\_\_\_ Time 1:15 PM

Adjudication Photo(s) Used: Name or No. \_\_\_\_\_

Field Photographs Taken ☐ Yes ☒ No

Memorandum in file ☐ Yes ☒ No

Remarks measured average of 1977 ASCS aerial photo.

State of Idaho  
Department of Water Resources

ADJUDICATION CLAIM  
REPORT OF EXAMINERS

note: ASes Photo  
14 02-2129

Claim No. 02-2406

1. Name of Applicant Chester Tindall

2. Priority 2/3/67

3. Source of Water Snake R.

4. (Quantity) (Domestic, Irri., Stock Water, etc.) (Period of Use)  
\_\_\_\_\_ cfs Use \_\_\_\_\_ From \_\_\_\_\_ to \_\_\_\_\_

4.12 cfs Use for From 8/15 to 11/15

\_\_\_\_\_ cfs Use \_\_\_\_\_ From \_\_\_\_\_ to \_\_\_\_\_

5. Location of Point of Diversion: NW NE of Section 28

Twp. 5S, Rge. 5E, County of Owyhee

6. Describe Diversion Works: 600 HP motor sprinkler  
& gravity system.

7. Describe Location of Use:

| TWP       | RGE       | SEC       | NE $\frac{1}{4}$ |    |           |           | NW $\frac{1}{4}$ |    |           |           | SE $\frac{1}{4}$ |    |    |    | SW $\frac{1}{4}$ |           |    |    | TOTALS     |
|-----------|-----------|-----------|------------------|----|-----------|-----------|------------------|----|-----------|-----------|------------------|----|----|----|------------------|-----------|----|----|------------|
|           |           |           | NE               | NW | SW        | SE        | NE               | NW | SW        | SE        | NE               | NW | SW | SE | NE               | NW        | SW | SE |            |
| <u>5S</u> | <u>5E</u> | <u>32</u> |                  |    |           |           |                  |    | <u>33</u> |           |                  |    |    |    |                  |           |    |    | <u>33</u>  |
|           |           |           |                  |    |           |           |                  |    |           |           |                  |    |    |    |                  |           |    |    |            |
|           |           | <u>31</u> |                  |    | <u>37</u> | <u>25</u> |                  |    | <u>44</u> | <u>45</u> | <u>47</u>        |    |    |    | <u>37</u>        | <u>27</u> |    |    | <u>173</u> |
|           |           |           |                  |    |           |           |                  |    | <u>31</u> | <u>14</u> | <u>2</u>         |    |    |    |                  |           |    |    | <u>206</u> |

| TWP. | RGE. | COUNTY | SCALE: 1" = 1 MILE |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|------|------|--------|--------------------|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|
|      |      |        |                    |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|      |      |        |                    |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|      |      |        |                    |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|      |      |        |                    |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|      |      |        |                    |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|      |      |        |                    |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |

8. Purpose other than irrigation: none

9. Remarks: \_\_\_\_\_

This examination was made on the 11 day of March, 19 82.

(Signed) John K. Noyes  
Examiner

State of Idaho

# WATER LICENSE

2-2406

POOR ORIGINAL

Water License No. 33633

Priority February 3, 1967

Amount 4.12095

THIS IS TO CERTIFY, that MYRTLE PRENTICE

of Mountain Home, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated February 3, 1967; that Permit 33633 was issued pursuant

to said application; that the proposed works were completed on or about June 15, 1967

with a storage or carrying capacity of 16.95 c.f.s. 16.95, said works consisting of

concrete diversion works and earth ditch

and that on March 22, 1968

proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 1030

acre feet per season, with a maximum rate of diversion of 4.12 cubic feet per second of the waters

of Snake River, tributary of Columbia River

for the purpose of Irrigation from April 1 to October 31

and for from to and for

from to; and that the use

of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer and entered in the records of the Idaho Department of Reclamation; the point of diversion is

located in NW NE 1/4, Sec. 28, T. 5S, R. 5E, B.M., and

other additional points, in the County of

Owyhee

; and that the amount of water to which such right is entitled, and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes and shall not exceed 1030 acre feet per year.

Description and location of place of use:

| TWP | RANGE | SEC. | NE 1/4 |    |    |    | NW 1/4 |    |    |    | SW 1/4 |    |    |    | SE 1/4 |    |    |    | TOTAL |
|-----|-------|------|--------|----|----|----|--------|----|----|----|--------|----|----|----|--------|----|----|----|-------|
|     |       |      | NE     | NN | SW | SE | NE     | NW | SW | SE | NE     | NW | SW | SE | NE     | NW | SW | SE |       |
| 5S  | 5E    | 31   |        |    | 38 | 39 |        |    | 65 | 46 | 47     |    |    |    | 27     | 16 |    |    | 170   |
|     |       |      |        |    |    |    |        |    | 18 | 30 | 2      |    |    |    |        |    |    |    |       |
|     |       | 32   |        |    |    |    |        |    | 36 |    |        |    |    |    |        |    |    |    | 36    |

Total number of acres irrigated 206

The right to the use of the water 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 State Reclamation Engineer, affixed at Boise, Idaho, this

16 day of July 1969

[Signature]  
State Reclamation Engineer

# chester Tindall

| Town-ship | Range | Sec | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SE 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |  |  |  | TOTALS |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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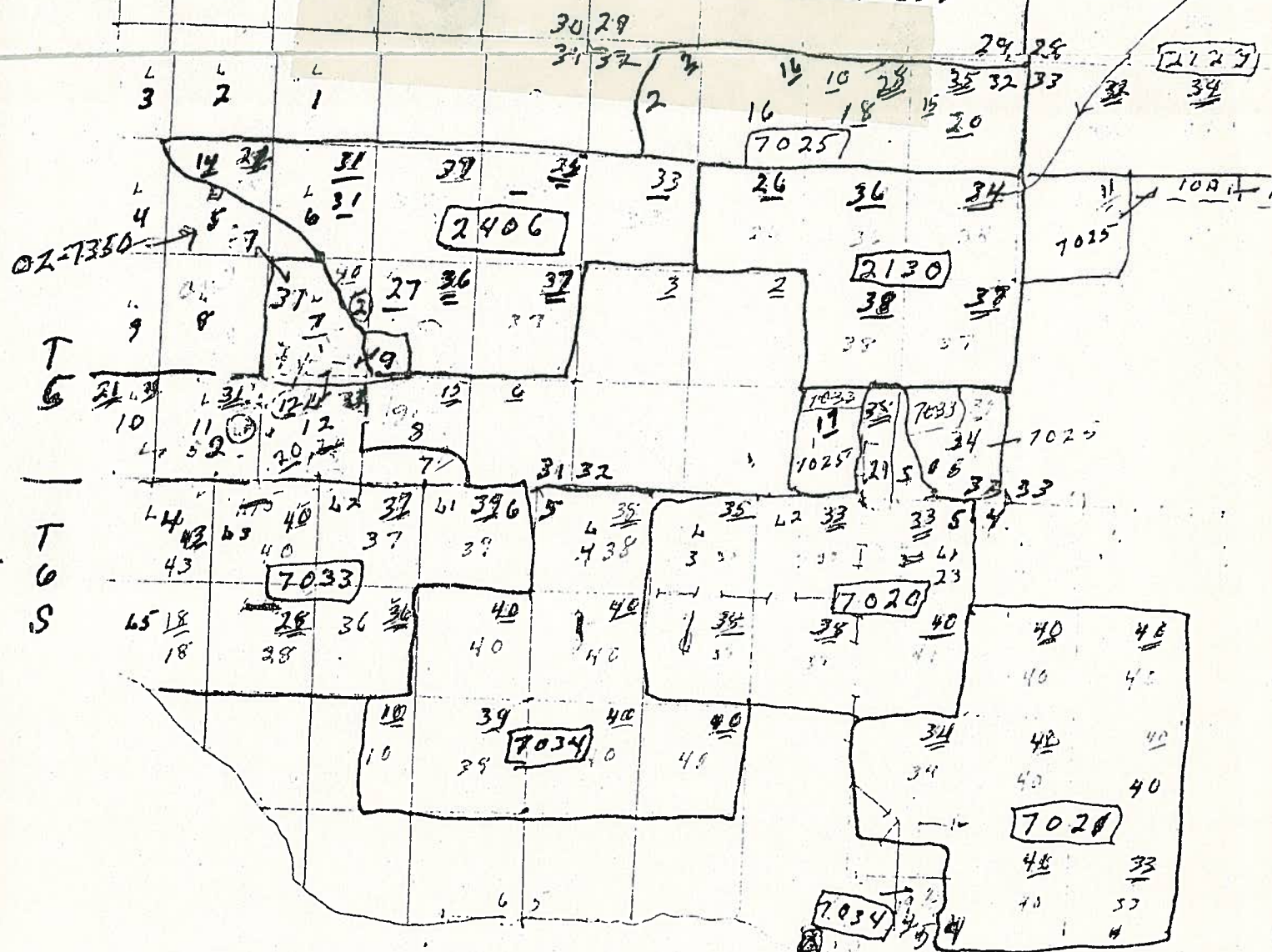
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| 3.54  | 2129    | 177   |
| 4.0   | 7025    | 211   |
| 3.42  | 2130    | 171   |
| 4.12  | 2406    | 206   |
| 15.08 |         | 765   |

capacity of system  
 16.95 ESS



J. STEIKER  
 Res

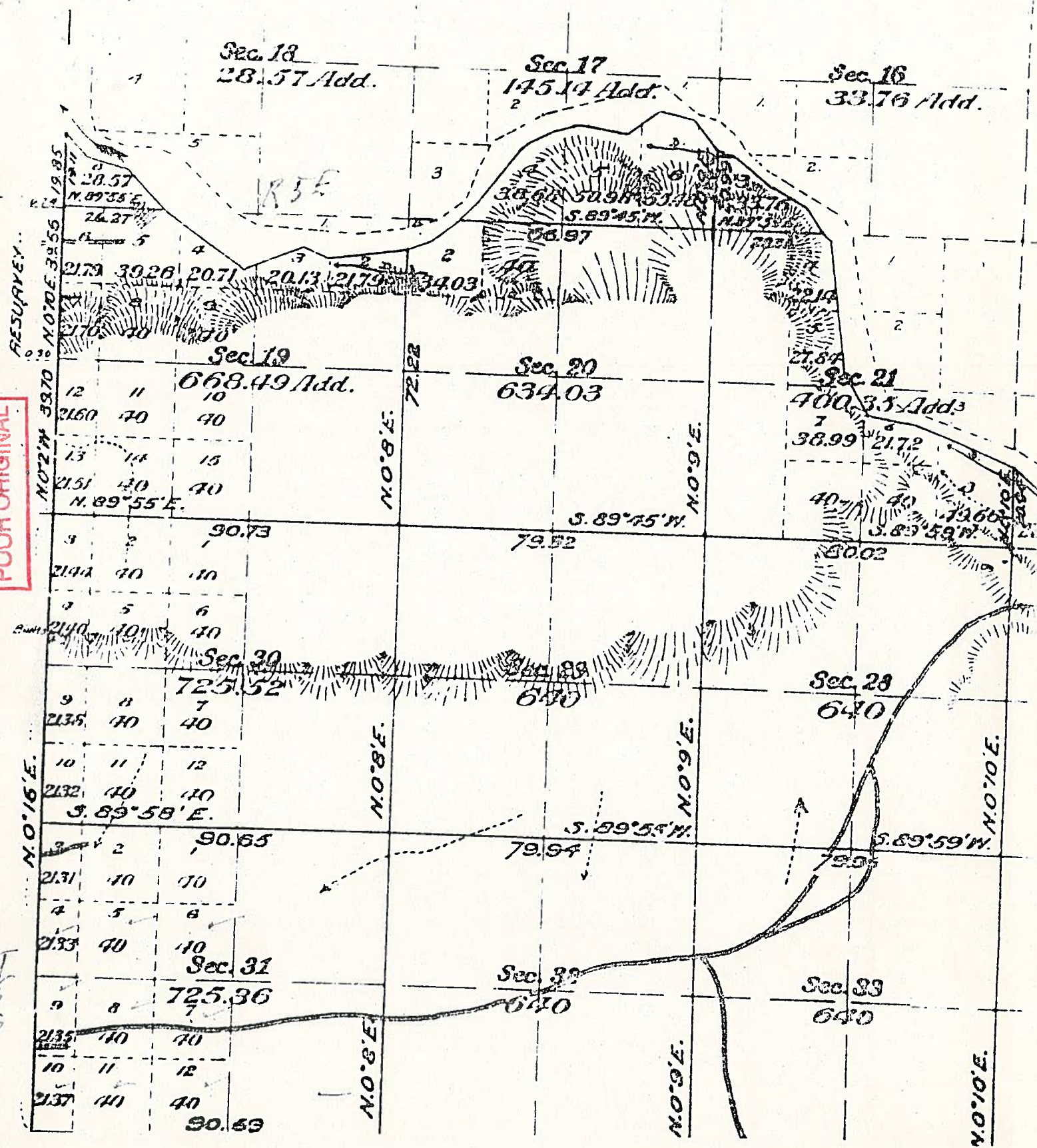
Standard credit  
 Chester Tindall  
 Chester Tindall

P.D. NWNE Sec 8  
 TGS RSE

| ESS  | claim # | Acres |
|------|---------|-------|
| 6.4  | 02-7033 | 320   |
| 5.42 | 02-7021 | 271   |
| 4.66 | 02-7020 | 233   |
| 5.33 | 02-7034 | 266   |

Total 21.81  
**MICROFILMED**  
 AUG 16 1994

POOR ORIGINAL



MICROFILMED

AUG 16 1994

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

IN THE MATTER OF THE GENERAL DETER-  
MINATION OF RIGHTS TO THE USE OF Snake River From Base of Milner  
Drainage Basin DRAINAGE BASIN.

NOTICE OF CLAIM  
TO A  
WATER RIGHT

|                |              |
|----------------|--------------|
| <u>02-2406</u> |              |
| I.D. No.       | Map No.      |
| \$ <u>10</u>   | <u>19413</u> |
| Fee Paid       | Receipt No.  |

Notice is hereby given that STANDARD CREDIT CORPORATION  
(Name of Claimant)  
550 N. 8 E., Mountain Home, ID 83647  
(Mailing Address) (Zip Code) Telephone No. 587-3799

- claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:
- (1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 02/03/1967
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Snake River tributary to Columbia River
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- |                                            |                                                              |                                                                                                 |
|--------------------------------------------|--------------------------------------------------------------|-------------------------------------------------------------------------------------------------|
| Quantity <u>4.12</u> cfs<br>(CFS, GPD, AF) | Use <u>irrigation</u><br>(Domestic, irrigation, stock, etc.) | Period of Use From <u>4/1</u> To <u>11/1</u><br>(Mo., Day) (Mo., Day)<br>(Both dates inclusive) |
| Quantity _____<br>(CFS, GPD, AF)           | Use _____<br>(Domestic, irrigation, stock, etc.)             | Period of Use From _____ To _____<br>(Mo., Day) (Mo., Day)<br>(Both dates inclusive)            |
| Quantity _____<br>(CFS, GPD, AF)           | Use _____<br>(Domestic, irrigation, stock, etc.)             | Period of Use From _____ To _____<br>(Mo., Day) (Mo., Day)<br>(Both dates inclusive)            |
| Quantity _____<br>(CFS, GPD, AF)           | Use _____<br>(Domestic, irrigation, stock, etc.)             | Period of Use From _____ To _____<br>(Mo., Day) (Mo., Day)<br>(Both dates inclusive)            |
- (4) 4.12 TOTAL QUANTITY CLAIMED.  
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source NW 1/4 NE Sec. 28, Twp. 5S, Rge. 5E, B.M., Owyhee County  
Additional Points: \_\_\_\_\_  
B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. 600 hp motor, sprinkler system and gravity
- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

| T  | R  | SEC. | NE% |     |     |     | NW% |     |     |     | SW% |     |     |     | SE% |     |     |     | TOTAL |
|----|----|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|
|    |    |      | NE% | NW% | SW% | SE% | NE% | NW% | SW% | SE% | NE% | NW% | SW% | SE% | NE% | NW% | SW% | SE% |       |
| 5S | 5E | 32   |     |     |     |     |     |     | 36  |     |     |     |     |     |     |     |     |     | 36    |
| 5S | 5E | 31   |     |     | 38  | 39  |     |     | 18  | 30  | 2   |     |     |     | 27  | 16  |     |     | 170   |
|    |    |      |     |     |     |     |     |     | 1.5 | 1.6 | 1.7 |     |     |     |     |     |     |     |       |
|    |    |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |    |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |    |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |

Total no. of acres 306

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: \_\_\_\_\_

NOTE: Include here the type and number of stock watered: \_\_\_\_\_

- (7) If you are claiming water as a member of an organization, list name of organization: \_\_\_\_\_
- (8) Remarks \_\_\_\_\_
- (9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.  
☐ B) Right decreed by court, cite title of case. \_\_\_\_\_  
☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. 02-2406

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

6-8-81  
(Date)

Individual Standard Credit Corp.  
(Signature of Claimant)

Organization \_\_\_\_\_  
(Signature of Spouse)

State of Idaho  
County of Ada ss, Organization \_\_\_\_\_  
Seal

On this 8 day of June, in the year 1981 before me  
a notary public, personally appeared Robert J. Tansell

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or \_\_\_\_\_) executed the same.

My commission expires \_\_\_\_\_ Notary Public residing at \_\_\_\_\_