

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 37-211  
Date Received: 10/12/1988  
Receipt No: M001565  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

FOUR + RANCH INC Phone: (208)823-4664  
PO BOX 44  
CAREY ID 83320

2. Date of Priority: 04/01/1884

3. Source: LITTLE WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot |    |    | County | Type |
|----------|-------|---------|-----------------------|----|----|--------|------|
| 01N      | 21E   | 30      | NW                    | SW | SE | BLAINE |      |

5. Description of diverting works:

DIVERSION DAM, HEADGATE, DITCH

6. Water is used for the following purposes:

| Purpose    | From | To    | C.F.S. | (or) A.F.A |
|------------|------|-------|--------|------------|
| IRRIGATION | 4/01 | 11/01 | 1.2    |            |

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township | Range | Section | 1/4 of 1/4 Lot |    | Use        | Acres |
|----------|-------|---------|----------------|----|------------|-------|
| 01S      | 21E   | 21      | NE             | SE | IRRIGATION | 40    |

|    |    |            |      |
|----|----|------------|------|
| NW | SE | IRRIGATION | 36.8 |
| SE | NE | IRRIGATION | 40   |
| SW | NE | IRRIGATION | 35.7 |

Section Acres 152.5

Total Acres 152.5

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

1/12/2003: CLAIM AMENDED TO ACTUAL PLACE OF USE, WHICH IS SAME AS THAT OF 37-127. INCORRECTLY CLAIMED IN 1988. - VH

15. Basis of Claim: Decreed

RECEIVED

FEB 09 2004

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

Department of Water Resources  
Southern Region

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

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

| Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| WR NO AJ 37-08729     |                              |       |                       |                              |       |
| 37-211                |                              |       |                       |                              |       |
| 37-127                |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |

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

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):  
**PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

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

3. Name and Address of Former Owner/Claimant(s) Larry & Donna Peterson  
48 Dry Creek Rd., Carey, ID
4. New Owner/Claimant(s) Four + Ranch, Inc.  
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or  
New Mailing Address P.O. Box 44, Carey, ID  
City, State and ZIP Code \_\_\_\_\_  
New Telephone Number ( ) 823-4664
5. Date you acquired the property Feb. 6, 2004

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

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right(s) will not be split, skip this area and proceed to item 7) |                                                                            |                                                              |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number <u>                    </u>                                                |                                                                            |                                                              |
| Water Use                                                                                                               | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right(s) will not be split, skip this area and proceed to item 7) |                                                                            |                                                              |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number _____                                                                      |                                                                            |                                                              |
| Water Use                                                                                                               | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

7. Signature of New Owner(s) or Claimant(s)  
(include title if applicable)

*By Hansen Present* *Boor*  
*Rita Hansen Secretary* *Plur Ranch*

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

**For Office Use Only**

Received by vhancock Date 2/9/04 Fee \_\_\_\_\_  
 Receipted by \_\_\_\_\_ Date \_\_\_\_\_ Receipt No. \_\_\_\_\_  
 Processed by \_\_\_\_\_ AJ Date \_\_\_\_\_ WR \_\_\_\_\_ Date \_\_\_\_\_

FEB-06-2004 FRI 03:09 BLAINE CO TITLE HAILEY

FAX NO. 12p-881985

P. 05

No. 14550

**WARRANTY DEED**

*Larry C. Peterson*

TO—  
*Laurie Knick, Gr.*

Date: \_\_\_\_\_, 19\_\_

STATE OF IDAHO  
County of *Blaine*

I hereby certify that this instrument was  
filed for record at request of *Stephen R. Keller*  
at \_\_\_\_\_ minutes past \_\_\_\_\_  
o'clock A.M. this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 19\_\_  
in my office, and duly recorded in Book \_\_\_\_\_  
at \_\_\_\_\_ page \_\_\_\_\_  
by *George F. McGee*  
County Recorder  
by *Harold L. Langer*  
Deputy

Fee, \$ *1.00*

RECORDED  
INDEXED  
FILED

MICROFILM SYSTEMS

FEB-06-2004 FR: 03:05 BLAINE CO TITLE HAILEY

FAX NO. 1203/88.965

P. 02

THIS INDENTURE Made this 6th day of January  
 in the year of our Lord one thousand nine hundred and seventy-one  
 between LARRY E. PETERSON and JOYCE E. PETERSON, husband and wife  
 of Carey County, Idaho the part 1st of the first part, and  
 FOUR + RANCH, INC. an Idaho corporation  
 of Carey County of Blaine  
 State of Idaho the party of the second part.  
 WITNESSETH, That the said part 1st of the first part, for and in consideration of the sum of  
 TEN AND NO/100-----DOLLARS.  
 and other valuable considerations  
 of the United States of America, to them in hand paid by the  
 said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained  
 and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said party  
 of the second part, and to its heirs and assigns forever, all the following described real estate.

situated in the County Blaine  
**PARCEL 1:** Township 1 South, Range 21 E., S.M., Blaine County,  
 Idaho:  
 Section 14: SE1/4  
 Section 15: SE1/4

**PARCEL 2:** Township 1 South, Range 21 E., S.M., Blaine County,  
 Idaho:

Section 16: SE1/4, SW1/4, and all SE1/4 EXCEPT  
 BEGINNING at a point on the east line of said Section  
 16, which point is 750.0 feet northerly from the  
 southeast corner of Sec. 16, and opposite Engineer's  
 Station 81/90.2 on centerline of Highway 8-2814(1),  
 as same is shown on map of said Highway filed in the  
 office of the State Highway Engineer of Idaho; THENCE  
 N. 0°20' W., along the east line of said Sec. 16, 610  
 feet, more or less; THENCE S. 89°43' W., 612.0 feet,  
 more or less, to a point which is 30.0 feet perpen-  
 dicularly distant northerly from the center line of  
 said Highway at a point of tangency at Engineer's  
 Station 50/90.2; THENCE S. 0°12' E., 60.0 feet;  
 THENCE southeasterly along a curve to the right  
 having a radius of 542.96 feet, parallel, and 30  
 feet distant from, said centerline, for a distance  
 of 853.4 feet, more or less, to a point 30.0 feet  
 perpendicularly distant westerly from said centerline  
 of Highway at a point of curvature at Engineer's  
 Station 81/90.2; THENCE E. 89°10' E., 60.0 feet,  
 more or less, to the point of beginning.

Section 21: NW1/4 EXCEPT a tract of land in the NW1/4  
 of Sec. 21, described as follows: Beginning at the  
 North quarter corner of said Sec. 21; THENCE West,  
 1084.0 feet along the north line of said Sec. 21 to  
 the true point of beginning; THENCE S. 17°35' E.,  
 1366.87 feet to the northerly right of way of a  
 county road; THENCE S. 89°20' W., 1036.40 feet along  
 said county road right of way; THENCE N. 18°34' W.,  
 1387.30 feet to the north line of said Sec. 21; THENCE  
 East, 1067.14 feet along said north line to the point  
 of beginning.

**PARCEL 3:** Township 1 South, Range 21 E., S.M., Blaine County,  
 Idaho:

Section 21: NE1/4, NW1/4

FEB-06-2004 FRI 03:08 BLAINE CO TITLE HAILEY

FAX NO. 120388865

P. 03

together with all water and water rights, ditches and ditch rights, used thereon or appurtenant thereto, including but not limited to rights to ground waters produced from a well or wells located and to be located on the mortgaged premises, especially such water under state of Idaho license and Certificate of Water Right No. 21738, approved by the Idaho State Reclamation Engineer on August 19, 1934, also including but not limited to 16.25 shares of the capital stock of the Little Wood River Canal Company; also the waters of the Little Wood River, especially to the decreed rights to the use of 16 and 30 miners inches of waters with a priority of April 1, 1933 and May 1, 1934, respectively; also water and ditch rights under the Little Wood River Irrigation District; and also the rights to 1007.6 acre feet of storage in the Little Wood Reservoir.

Together with all irrigation equipment of every kind and character and additions thereto and replacements thereof, now or hereafter owned by the Borrower and used in the irrigation of the above premises, including, but not limited to, pumps, pipe, casing, motors, electrical panels and accessories to each.

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

Subject to existing easements for roads, highways, ditches, canals, laterals and power and transmission lines.

Subject to the burdens incident to the inclusion of the land within the boundaries of the Little Wood River Irrigation District.

Subject to the rights of Little Wood River Canal Company to levy assessments.

Subject, as to Parcel 1, to the easement in favor of the Caray Valley Reservoir Company, as disclosed by the instrument recorded October 19, 1922, in Book 123 of Deeds, Page 339, records of Blaine County, Idaho.

Subject, as to Parcel 2, to the easement in favor of the Mountain States Telephone and Telegraph Company, as disclosed by the instrument recorded August 8, 1929, in Book 132 of Deeds, Page 370, records of Blaine County, Idaho.

Subject, as to Parcel 2, to the power line easement in favor of the Idaho Power Company, as disclosed by the instrument recorded February 4, 1931, in Book 166 of Deeds, Page 136, records of Blaine County, Idaho.

Subject to the easement in favor of the Little Wood River Canal Company, as disclosed by the instrument recorded November 15, 1901, in Book 5 of Deeds, Page 494, records of Blaine County, Idaho.

Subject to the mineral reservations in favor of the Union Central Life Insurance Company, as disclosed by the instrument recorded July 22, 1942, in Book 148 of Deeds, Page 113, records of Blaine County, Idaho.

Subject, as to Parcel 3, to the \$21,500.00 mortgage executed by the Borrower in favor of The Federal Land Bank of Spokane, recorded December 26, 1962, in Book 172 of Mortgages, Page 298, records of Blaine County, Idaho.

FEB-06-2004 FR: J3:07 BLAINE CO TITLE HAILEY

FAX NO. 1200881885

P. 04

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title, and interest in and to the said property as well in law as in equity, of the said part one of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to its heirs and assigns forever. And the said parties of the first part and their heirs, the said premises in the quiet and peaceable possession of the said party of the second part, its heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals, the day and year first above written.

SIGNED, SEALER AND DELIVERED IN PRESENCE OF

*[Signature]* Seal  
*[Signature]* Seal  
*[Signature]* Seal  
*[Signature]* Seal

STATE OF IDAHO,

County of Blaine

On this

The undersigned

Notary Public

HUSBAND AND WIFE

RECORDED AND INDEXED

BY THE CLERK OF THE COUNTY OF BLAINE

ON FEBRUARY 6, 2004

AT 1:00 PM

IN THE OFFICE OF THE CLERK

## REINSTATEMENT

|                                                                                                                                                                                                                                          |                |                                                                                                                                |             |                                                                                                        |            |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|--------------------------------------------------------------------------------------------------------------------------------|-------------|--------------------------------------------------------------------------------------------------------|------------|
| No. <b>C 43315</b>                                                                                                                                                                                                                       |                | <b>Annual Report Form</b><br>ADMIN DISSOLVED 08/08/2002                                                                        |             | 2. Registered Agent and Office NOT A P.O. BOX<br>DONNA PETERSON<br>48 DRY CREEK RD.<br>CAREY, ID 83320 |            |
| Return to:<br>SECRETARY OF STATE<br>700 WEST JEFFERSON<br>PO BOX 83720<br>BOISE, ID 83720-0080<br>FEE DUE \$30.00                                                                                                                        |                | FOUR + RANCH, INC.<br>LARRY PETERSON<br>48 DRY CREEK ROAD<br>CAREY, ID 83320                                                   |             | 3. <u>New</u> registered agent signature                                                               |            |
| 4. Corporations: Enter Names and Business Addresses of President, Secretary and Directors<br>Limited Liability Companies: Enter Names and Addresses of <input type="checkbox"/> Managers or <input type="checkbox"/> Members (check one) |                |                                                                                                                                |             |                                                                                                        |            |
| <u>Office held</u>                                                                                                                                                                                                                       | <u>Name</u>    | <u>Street or P.O. Address</u>                                                                                                  | <u>City</u> | <u>State</u>                                                                                           | <u>Zip</u> |
| President                                                                                                                                                                                                                                | Larry Peterson | 48 Dry Creek Rd,                                                                                                               | Carey,      | ID                                                                                                     | 83320      |
| Secretary                                                                                                                                                                                                                                | Donna Peterson | 48 Dry Creek Rd.                                                                                                               | Carey,      | ID                                                                                                     | 83320      |
| 5. Organized under the laws of:<br>IDAHO<br>C 43315                                                                                                                                                                                      |                | 6. Signature <u>Donna Peterson</u> Date <u>1-29-04</u><br>Name (Typed or Printed) <u>Donna Peterson</u> Title <u>Secretary</u> |             |                                                                                                        |            |

Issued 01/29/2004

## STOCK PURCHASE AGREEMENT

THIS AGREEMENT made and entered effective January 2, 2004 and memorialized on this 6th day of February, 2004, by and between LARRY PETERSON and DONNA PETERSON, husband and wife, hereinafter "Sellers," and CREG C. HANSEN and LETA J. HANSEN, hereinafter "Purchasers."

WHEREAS, Sellers desire to sell and Purchasers desire to purchase all of the shares of common stock of FOUR + RANCH, INC., an Idaho corporation, representing all of Seller's remaining ownership in the outstanding common stock of FOUR PLUS, INC.

NOW, THEREFORE, in consideration of the mutual covenants and promises, it is hereby agreed as follows:

1. **Purchase of Stock and Property Transfer.** Sellers shall sell and Purchasers shall purchase all of the outstanding shares of FOUR + RANCH, INC. common stock representing Sellers' remaining ownership in FOUR + RANCH, INC. for the sum of Two Hundred Twenty Thousand dollars (\$220,000.00).

The parties specifically agree and acknowledge that Purchasers as the new owners of all of the outstanding shares of stock in Four + Ranch, Inc., shall be entitled to receive all right, title and interest in approximately 153 acres of real property located in Section 21, Township 1 South, Range 21 East, Boise Meridian, Blaine County, Idaho, and includes all sprinkler equipment, pump, panels, motors, water rights, improvements and any other appurtenances.

2. **Corporate Liabilities.** Sellers warrant that Four + Ranch, Inc., has no outstanding liabilities as of the date of closing. Any liabilities of Four + Ranch, Inc., that may arise prior to the closing date shall be the responsibility of the Sellers. Any liabilities arising after the date of closing shall be the responsibility of the Purchasers.

3. **Taxes and Water Assessments.** All real and personal property taxes for 2003 together with all 2003 water assessments against the real property owned

by Four + Ranch, Inc., shall be paid by Four + Ranch, Inc., and/or Sellers prior to closing. All 2004 and subsequent years real and personal property taxes and water assessments shall be the responsibility of the Purchasers.

4. **Remedies.** In the event of a default, by either party, the nondefaulting party may take any one or more of the following steps:

4.1 Specifically enforce the terms of this Contract;

4.2 Pursue any other legal or equitable remedies available to Seller;

4.3 Specifically enforce the terms of the Covenant Not to Compete set forth in Provision 4, herein.

4.4 Seek injunctive relief for any breach of the provisions of paragraph 4 of this agreement.

5. **Contingency.** This agreement is contingent upon sellers transferring any and all water rights that are appurtenant to the real property owned by Four + Inc.

6. **Indemnification and Hold Harmless.** Purchasers agree to hold Seller harmless from and against any and all obligations, claims, demands, suits, damages, taxes, liabilities, or expenses related to FOUR PLUS INC. on or before the date of closing specified below.

7. **Closing.** This transaction shall close on or before January 15, 2004. The Closing shall be held at the law offices of Peterson, Hodges & Harper, LLP in Twin Falls, Idaho or any other individually designated location. All closing costs shall be paid by FOUR + RANCH, INC., with each party responsible for their own attorney's fees, if they seek the advice of independent legal counsel.

On the date of closing, Sellers shall cause the corporate secretary to issue to Purchaser his all of his shares of common stock in FOUR + RANCH, INC. Purchaser

agrees to transfer Two Hundred Twenty Thousand dollars (\$220,000.00) to Seller, payable at closing.

8. **Partial Invalidity.** In the event any portion of this Agreement or part thereof shall be determined invalid, void, or otherwise unenforceable, the remaining provisions hereunder, or parts thereof, shall remain in full force and effect, and shall in no way be affected, impaired, or invalidated thereby; it being understood that such remaining provisions shall be construed in a manner most closely approximating the intention of the parties with respect to the invalid, void, or unenforceable provision or part thereof.

9. **Waiver.** Failure of any party to exercise the rights upon any default of the other shall not be construed as the waiver of the right to insist upon full compliance and performance of all the terms and conditions of the Agreement, or exercising any other rights contained in this Agreement.

10. **Amendment.** This Agreement may not be amended, modified, altered, or changed in any respect whatsoever, except by further agreement in writing duly executed by the parties hereto.

11. **Survivorship.** All warranties, covenants, representations, and guaranties shall survive the closing and execution of the documents contemplated by this Agreement. The parties hereto in executing and in carrying out the provisions of this Agreement are relying solely on the representations, warranties, and agreements contained in this Agreement or in any writing delivered pursuant to provisions of this Agreement or at the closing of the transactions herein provided for and not upon any representation, warranty, agreement, promise, or information, written or oral, made by any person other than as specifically set forth herein or therein.

12. **Legal Representation.** The parties acknowledge that attorney for FOUR + RANCH, INC. has drafted this Agreement as a matter of convenience, and further acknowledges that this Agreement shall not be construed against either Sellers or

Purchasers solely for that reason.

13. **Default.** In the event of default of either party hereto, that is not cured within sixty (60) days of written notice of default by the nondefaulting party, the nondefaulting party shall be entitled to attorney's fees and costs of suit incurred to remedy any event of default. Any notice of default shall be sent by certified mail to:

**Sellers:**

Larry Peterson and Donna Peterson  
48 Drycreek Rd.  
Carey, ID 83320

**Purchasers:**

Creg C. Hansen and Leta J. Hansen  
115 Griffin Loop  
Carey, ID 83320

14. **Additional Documents.** The parties hereto agree to execute any additional documents necessary to finalize this transaction.

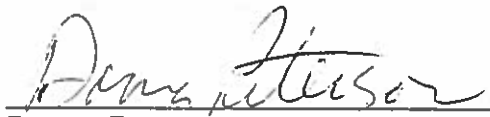
15. **Binding Effect and Governing Law.** This Agreement is governed by the laws of the State of Idaho and shall be binding upon and inure to the respective parties hereto, their legal representatives, successors, and assigns.

16. **Agency Disclosure.** Any party who retains a sales agent shall be responsible and pay for any and all commissions to said sales agent, which may result from this transaction.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date above first written.

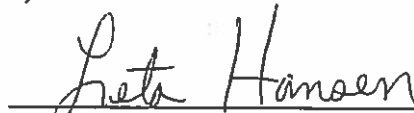
**SELLERS:**

  
Larry Peterson

  
Donna Peterson

**PURCHASERS:**

  
\_\_\_\_\_  
Greg C. Hansen

  
\_\_\_\_\_  
Leta J. Hansen

**STATEMENT OF CHANGE OF REGISTERED OFFICE  
OR REGISTERED AGENT, OR BOTH**

File #:

The undersigned entity submits the following statement for the purpose of changing its registered office or its registered agent, or both, in the State of Idaho.

1. The name of the entity is: Four + Ranch, Inc.
2. The street address of its present registered office is: 48 Dry Creek Rd., Carey, ID 83320
3. The street address (not a P.O. box) to which its registered office is to be changed is: \_\_\_\_\_
4. The name of its old registered agent is: Donna Peterson
5. The name of its new registered agent is: Leta Hansen
6. The address of the registered office and the business address of the registered agent are identical.

Dated: \_\_\_\_\_

Signed: Donna Peterson  
Printed: Donna Peterson  
Capacity: Secretary

I consent to serve as registered agent  
for the above-named entity.

Leta Hansen  
(Signature of new registered agent)

(See reverse for instructions)

**FILED EFFECTIVE**

g:\corp\form\idsos\forms\change-1A\_HCS.p65

FILE ONE COPY

NO FEE REQUIRED

**MINUTES OF A SPECIAL JOINT MEETING  
OF THE SHAREHOLDERS AND DIRECTORS OF  
FOUR + RANCH, INC.**

A special joint meeting of the shareholders and directors of Four + Ranch, Inc., was held February 6th, 2004, at the hour of 11:30 a.m. at the office of Peterson, Hodges & Harper, LLP, 161 5<sup>th</sup> Ave. S., Twin Falls, Idaho. Present were shareholders and directors Creg Hansen and Leta Hansen.

The first item of business was the election of officers and directors. The following officers and directors were unanimously elected:

|            |                            |
|------------|----------------------------|
| Directors: | Creg Hansen<br>Leta Hansen |
|------------|----------------------------|

|           |                                                          |
|-----------|----------------------------------------------------------|
| Officers: | Creg Hansen President<br>Leta Hansen Secretary/Treasurer |
|-----------|----------------------------------------------------------|

Next item of business was the discussion of mortgaging the corporations real estate in favor of Key Bank. Upon motion moved, seconded and unanimously carried it was;

RESOLVED that the Corporation execute a mortgage in favor of Key Bank, a copy of which is being attached hereto as Exhibit A.

FURTHER RESOLVED that the corporate officers be directed to execute any documents necessary to finalize the mortgage in favor of Key Bank.

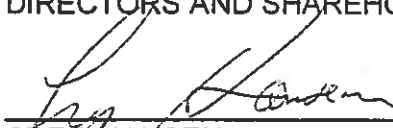
There being no further business to come before the shareholders and directors the meeting was adjourned at \_\_\_\_\_ a.m. with the signatures below indicating a waiver of notice by the signature of the shareholder and director below.

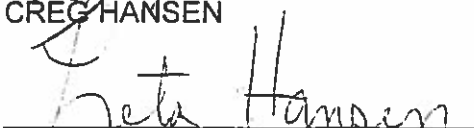
Respectfully submitted,

By: \_\_\_\_\_

Corporate Secretary

DIRECTORS AND SHAREHOLDERS

  
\_\_\_\_\_  
CREG HANSEN

  
\_\_\_\_\_  
LETA HANSEN

INCORPORATED UNDER THE LAWS OF THE



FOUR + RANCH, INC.

**This Certifies That**

CREG AND LETA HANSEN

ONE

is the owner of  
Shares of the Capital Stock of

transferable only on the Books of the Corporation by the  
holder hereof in person or by duly authorized Attorney, or  
as recorder of this Certificate properly endorsed.

In Witness Whereof the duly authorized officers of this Corporation have hereunto subscribed  
their names and caused the corporate Seal to be hereunto affixed at  
this 6th day of February A.D. 2004

*Greg Hansen*

*Henni Hansen*

Shares

Each.

Steve -

The Petersons are hoping that this deed proves they did not sell decreed water from Little Wood River along with the N<sup>1</sup>/<sub>2</sub> NE Sec 21 NW 1973. I told them it may not prove that, yadda yadda, but that you would make a determination.

They also brought in some old deeds mentioning water I'm sending along.

Vikie

# DEED

FOR VALUE RECEIVED, **FOUR + RANCH, INC.**, an Idaho corporation a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto **RICHARD MILLINGTON**, Box 707, **Picabo, Idaho**, grantees, the following described real estate, to-wit:  
(See Exhibit "A" attached hereto)

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantee his heirs and assigns forever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Secretary this

By *Larry Peterson*

PRESIDENT

ATTEST:

*George Peterson*

SECRETARY



STATE OF IDAHO, COUNTY OF *Blaine*  
On this *5* <sup>9th</sup> day of *July*, 1973,  
before me, a notary public in and for said State, personally  
appeared *Larry Peterson and Joyce Peterson*, known to me to  
be the President and Secretary of the corporation that executed this instrument or the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

*William E. Norris*

Notary Public

Residing at *Sum Valley*, Idaho  
Comm. Expires *Dec. 6, 1975*

STATE OF IDAHO, COUNTY OF *Blaine*  
I hereby certify that this instrument was filed for record at the request of *Sanford Fickel Co*  
at *05* minutes past *1:00* o'clock *P.M.*,  
this *15* day of *July*, 1973, in my office, and duly recorded in Book  
of Deeds at page

*Maeie Lurie*  
Ex-Officio Recorder

By *Hazel Baughman*

Fees *\$30.00*  
Mail to

FILED ☐ ENTERED ON MARCH ☐  
INDEXED IN PART ☐  
COMPARED ☐ INDEXED 2nd PARTY ☐

INSTRUMENT No. 150193

EXHIBIT "A"

Township 1 South, Range 21 E., B.M., Blaine  
County, Idaho

Section 16: SW $\frac{1}{4}$ SE $\frac{1}{4}$  and all SE $\frac{1}{4}$ SE $\frac{1}{4}$ , except  
BEGINNING at a point on the east line of said  
Section 16, which point is 750.0 feet northerly  
from the southeast corner of Section 16, and  
opposite Engineer's Station 81/90.2 on center-  
line of Highway S-2814(1), as same is shown on  
map of said Highway filed in the office of the  
State Highway Engineer of Idaho;

THENCE North 0°20' West, along the East line  
of said section 16, 610 feet, more or  
less;

THENCE South 89°45' West, 612.0 feet, more  
or less, to a point which is 30.0  
feet perpendicularly distant northerly  
from the centerline of said Highway  
at a point of tangency at Engineer's  
Station 50/90.2;

THENCE South 0°12' East, 60.0 feet;

THENCE Southeasterly along a curve to the right  
having a radius of 542.96 feet, parallel,  
and 30 feet distant from, said centerline,  
for a distance of 853.4 feet, more or  
less, to a point 30.0 feet perpendicularly  
distant westerly from said centerline of  
Highway at a point of curvature at Engineer's  
Station 81/90.2;

THENCE East 89°10' East, 60.0 feet more or less,  
to the point of beginning.

Section 21: N $\frac{1}{4}$ NE $\frac{1}{4}$ , and *water rights*

Five and one-half (5 $\frac{1}{2}$ ) shares in Little Wood River  
Canal Company together with 310 acre feet of storage  
water from the Little Wood Reservoir and all right,  
title and interest to the water from that certain  
irrigation well located in the northeast corner of  
the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 16, T1S, R21E, B.M., and also  
identified under State License No. 37-2515 together with  
an easement to transport such water from the location  
of the well to the above described real property, sub-  
ject to the ditch easement running through said pro-  
perty in favor of Four + Ranch, Inc.

**EXCEPTIONS:**

1. Easement contained in Right of Way Deed from James W. Peterson and Jennie I. Peterson, his wife, to Carey Valley Reservoir Company, an Idaho corporation, recorded October 19, 1922, in Book 123 of Deeds, page 339, records of Blaine County, Idaho, granting right of way for canal over and across the property described hereinabove.
2. Easement contained in Right of Way Deed from Wilford D. Evans, to Mountain States Telephone and Telegraph Co., recorded August 8, 1929, in Book 132 of Deeds, page 570, records of Blaine County, Idaho, granting right of way and easement for line over and across the property described hereinabove.
3. Power Line Easement from J. E. Peterson and Florence Peterson, his wife, to Idaho Power Company, recorded February 4, 1951, in Book 166 of Deeds, page 136, records of Blaine County, Idaho, granting right of way and easement over and across a portion of the property described hereinabove.
4. Mineral rights as reserved in Deed from Union Central Life Insurance Company, to D. F. Peterson and Nan Agnes Peterson, and J. E. Peterson and Florence Peterson, recorded July 22, 1942, in Book 148 of Deeds, page 113, records of Blaine County, Idaho.
5. Easement contained in Right of Way Deed from A. Billingsley and Jane Billingsley, husband and wife, to the Little Wood River Canal Company, recorded November 15, 1901, in Book B of Deeds, page 494, records of Blaine County, Idaho, granting right of way for canal over and across the property described hereinabove.
6. MORTGAGE: From Larry E. Peterson and Joyce Peterson, husband and wife, to the Federal Land Bank of Spokane, dated and recorded December 26, 1962, in Book 172 of Mortgages, page 298, records of Blaine County, Idaho.  
TO SECURE: \$21,500.00. (Covers Property in addition to property described hereinabove.)
7. MORTGAGE: From Larry E. Peterson also known as Larry Peterson and Joyce E. Peterson, also known as Joyce Peterson, husband and wife, to the United States of America, acting through the Farmers Home Administration, United States Department of Agriculture, dated August 21, 1970, recorded August 21, 1970, as Instrument No. 136439, records of Blaine County, Idaho.  
TO SECURE: \$32,100.00. (Covers property in addition to property described hereinabove.)

No. 117962

WARRANTY DEED

J. E. PETERSON ET UX ET AL TO LARRY PETERSON ET UX

THIS INDENTURE, made this 21st day of January, 1960, between J. E. PETERSON and FLORENCE PETERSON, husband and wife, and GUY PETERSON and CARREEN PETERSON, husband and wife of Carey, County of Blaine, State of Idaho the parties of the first part, hereinafter called the grantor, and LARRY PETERSON and JOYCE PETERSON, husband and wife of Carey, County of Blaine, State of Idaho the parties of the second part, hereinafter called the grantee.

WITNESSETH, that the grantor, for and in consideration of the sum of Ten Dollars and other good and valuable considerations in lawful money of the United States of America, to the grantor in hand paid by the grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the grantee, and to the grantee's heirs and assigns forever, all the following described real estate, situated in Blaine County, State of Idaho:

The South Half of the Northeast Quarter ( $S\frac{1}{2}$  NE $\frac{1}{4}$ ) and

The North Half of the Southeast Quarter ( $N\frac{1}{2}$  SE $\frac{1}{4}$ )

Section Twenty-one (21), Township One (1) South,

Range Twenty-one (21) East, Boise Meridian, Blaine County, State of Idaho

Together with all water rights, including eighty (80") inches decreed 1884 from Little Wood River;  
Two (2) shares of stock in Little Wood River Canal Company and 237 acre-feet in The Little Wood River  
Irrigation District

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto, belonging

or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the grantor.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises, together with appurtenances, unto the grantee, and to the grantee's heirs and assigns forever. And the grantor, and the grantor's heirs, the said premises in the quiet and peaceable possession of the grantee, and the grantee's heirs and assigns, against the grantor, and the grantor's heirs, and against all and every person and persons whomsoever, lawfully claiming the same, shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, the grantor has subscribed this deed the day and year first above written.

J. E. Peterson

Florence Peterson

Guy Peterson

Carreen Peterson

STATE OF IDAHO,                     )  
                                          ) ss.  
County of Twin Falls,)

On this 21st day of January, 1960, before me, the undersigned, a Notary Public in and for said State, personally appeared GUY PETERSON and CARREEN PETERSON, husband and wife known to me to be the person whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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

(SEAL)

My commission expires on the 2nd day of January, 1963

Lawrence B. Quinn  
Notary Public in and for the State of Idaho  
Residing at Twin Falls, Idaho.

STATE OF IDAHO,                     )  
                                          ) ss  
County of Twin Falls,                )

## CHARLES A. NISSON ET UX ET AL TO LARRY PETERSON ET UX ET AL

THIS INDENTURE, Made this Third (3rd) day of February, 1958, by and between ALICE CAREY NISSON and CHARLES A. NISSON, husband and wife, of Carey, <sup>Blaine County</sup> Idaho, and ELMER CAREY and ANN CAREY, husband and wife, of Daly City, San Mateo County, California, the parties of the first part, and LARRY PETERSON and JOYCE PETERSON husband and wife, J. E. PETERSON and FLORENCE PETERSON, husband and wife, GUY PETERSON and CAREN PETERSON, husband and wife, the parties of the second part. All of Carey, Blaine County, Idaho.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of \$27,500.00, lawful money of the United States of America, and other valuable consideration, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all of the following described real estate, situated Northwest of the town of Carey, Blaine County, Idaho, to-wit:

The South Half of the Northeast Quarter; and the North Half of the Southeast Quarter, Section 21, Township 1 South, Range 21 East, Boise Meridian, Blaine County, State of Idaho; Containing 160 acres of land, together with all water rights belonging thereto.

( $5\frac{1}{2}$  NE $\frac{1}{4}$  N $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 21, Twp. 1 S of R 21 E. B. M.)

TOGETHER, With all and singular the hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits; and all estate, right, title, and interest in and to said property, as well in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, ALL and singular the said premises and parcel of land above particularly described, with the appurtenances thereon, unto the said parties of the second part their heirs and assigns, in fee simple forever.

The South Half of the Northeast Quarter; and the North Half of the Southeast Quarter, Section 21, Township 1 South, Range 21 East, Boise Meridian, Blaine County, State of Idaho; Containing 160 acres of land, together with all water rights belonging thereto.

(S $\frac{1}{2}$  NE $\frac{1}{4}$  N $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 21, Twp. 1 S of R 21 E. B. M.)

TOGETHER, with all and singular the hereditaments and appurtenances thereunto belonging or in any wise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits; and all estate, right, title, and interest in and to said property, as well in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, ALL and singular the said premises and parcel of land above particularly described, with the appurtenances thereon, unto the said parties of the second part their heirs and assigns in fee simple forever.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals this day and year first above written.

( \$30.25 I.R.S. )  
( Affixed and )  
( Cancelled )

Alice Carey Nisson

Elmer Carey  
By Alice Carey Nisson  
Atty in fact

Ann Carey  
By Alice Carey Nisson  
Atty in fact

Charles A. Nisson

STATE OF IDAHO )  
COUNTY OF BLAINE ) ss

On this 7 Day of February, 1958, before me a Notary Public in and for the State of Idaho, County of Blaine, personally appeared CHARLES A. NISSON, known to me to be the person whose name is subscribed

instrument, and acknowledged to me that he executed the same.

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

(SEAL)

MY COMMISSION EXPIRES JAN. 26, 1960

O. J. Cline  
Notary Public for Idaho  
Residing at Hailey, Idaho

STATE OF IDAHO )  
 ) ss  
COUNTY OF ADA )

On this 8th day of February, 1958, before me Dale O. Morgan a Notary Public in and for the State  
of Idaho, County of Ada, personally appeared ALICE CAREY NISSON, known to me to be the person whose name is  
subscribed to the within instrument, and acknowledged to me that she executed the same.

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

(SEAL)

Dale O. Morgan  
Notary Public for State of Idaho  
Residing at Boise, Idaho

STATE OF IDAHO )  
 ) ss.  
COUNTY OF ADA )

AFFIDAVIT

On this 8th day of February, 1958, before me, Dale O. Morgan, a Notary Public in and for the  
State of Idaho, County of Ada, personally appeared Alice Carey Nisson, attorney in fact for Elmer Carey and  
Ann Carey, known to me to be the person whose name as attorney in fact is subscribed to the within instrument,  
and acknowledged to me that she executed the same for Elmer Carey and Ann Carey, husband and wife.

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

(SEAL)

Dale O. Morgan  
Notary Public for Idaho  
Residing at Boise, Idaho

21E



CARRY LAKE

(19.11)

2017

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 37-211  
Date Received: 10/12/1988  
Receipt No: M001565  
Received By: *WJH*

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

1. Name of Claimant(s)

DONNA PETERSON Phone: (208)823-4565

48 DRY CREEK RD  
CAREY ID USA 83320

LARRY E PETERSON Phone: (208)823-4565

48 DRY CREEK RD  
CAREY ID USA 83320

2. Date of Priority: 04/01/1884

3. Source: LITTLE WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 01N      | 21E   | 30      | NW SW SE              | BLAINE |      |

5. Description of diverting works:

DIVERSION DAM, HEADGATE, DITCH

6. Water is used for the following purposes:

| Purpose    | From | To    | C.F.S. | (or) A.F.A |
|------------|------|-------|--------|------------|
| IRRIGATION | 4/01 | 11/01 | 1.2    |            |

7. Total Quantity Appropriated is:

1.2 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township      | Range | Section | 1/4 of 1/4 | Lot | Use        | Acres |
|---------------|-------|---------|------------|-----|------------|-------|
| 01S           | 21E   | 21      | NE         | SE  | IRRIGATION | 40    |
|               |       |         | NW         | SE  | IRRIGATION | 36.8  |
|               |       |         | SE         | NE  | IRRIGATION | 40    |
|               |       |         | SW         | NE  | IRRIGATION | 35.7  |
| Section Acres |       |         |            |     |            | 152.5 |
| Total Acres   |       |         |            |     |            | 152.5 |

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

1/12/2003: CLAIM AMENDED TO ACTUAL PLACE OF USE, WHICH IS SAME AS THAT OF 37-  
127. INCORRECTLY CLAIMED IN 1988. - VH

15. Basis of Claim: Decreed

16. Signature(s)

**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): *Aug Peterson* Date: 1-12-04  
\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho \_\_\_\_\_ )  
County of *Ada* ) SS.

Subscribed and sworn (or affirmed) before me this 12 day of *January* 2004



*Vikie Hancock*

Notary Public

Residing at *Buhl, Idaho*

My commission Expires 5/7/2009



IDAHO DEPARTMENT OF WATER RESOURCES  
SOUTHERN REGION  
1341 FILLMORE ST STE 200  
TWIN FALLS ID 83301-3380  
(208) 736-3033

DIRK KEMPTHORNE  
GOVERNOR

KARL J DREHER  
DIRECTOR

## CHANGE IN ADDRESS

☒ Water Right Number(s):

37-211

2

☐ Old Mailing Address:

☐ New Mailing Address:

Larry Peterson

48 Dry Creek Rd.

Carey, ID. 83320

☐ New Telephone Number: ( )

☐ Signature of Claimant(s):

Date:

1-12-04

FOR IDWR USE ONLY

Initial Review and Data Entry

Date:

By:

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data Entry

Date:

By:

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: A37-00211  
Date Received: 10/12/1988  
Receipt No: MO 1565  
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: LARRY E. PETERSON 208-823-4565  
Address: RT 1 BOX 1  
CAREY, ID 83320

2. Date of Priority: APR 01, 1884

3. Source: LITTLE WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 01N      | 21E   | 30      | NW     | SW     | SE     |     | BLAINE |

5. Description of diverting works:  
DIVERSION DAM, HEADGATE, DITCH

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 1.200  |      |        |

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

8. Total consumptive use is 381.2 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|----------|-------|---------|--------|--------|-----|-----|-------|
| 01S      | 21E   | 21      | NE     | NE     |     | IRR | 40.0  |
|          |       |         | NW     | NE     |     | IRR | 35.7  |
|          |       |         | NE     | SE     |     | IRR | 40.0  |

A37-00211

Page 1

Date: 10/12/88

MICROFILMED  
FEB 22 1993

10. Place of Use: Continued

| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 01S           | 21E   | 21      | NW     | SE  |     | IRR | 36.8  |
| Section Acres |       |         |        |     |     |     | 152.5 |
| Total Acres   |       |         |        |     |     |     | 152.5 |

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:  
A37-00127

14. Remarks:

15. Basis of Claim: DECREED  
Case Number:  
Court :  
Decree date:

S. C. FROST, ET. AL.  
Decree Plaintiff

vs

ALTURAS WATER COMPANY, ET. AL.  
Decree Defendant

16. Signature(s)

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

Number of attachments:                     

**For Individuals:**

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

Signature of Claimant(s): *[Signature]* Date: Oct 12, 1988  
Date:                     

State of Idaho )  
County of BLAINE ) SS.

Subscribed and sworn (or affirmed) before me this 12<sup>th</sup> day  
of Oct 19 88 *[Signature]*  
Notary Public

Seal

Residing at Boise, Id  
My Commission Expires 9-2-1994



4° 22' 30"  
114° 00'

CAREY & M

Produced by the Geological Survey  
in cooperation with the Soil Conservation Service

Orthophotograph prepared from 1:80,000-scale  
aerial photographs taken July 24, 1974  
Projection and 10 000-foot grid ticks  
Idaho coordinate system, central zone  
(transverse Mercator)  
1000-meter Universal Transverse Mercator grid ticks,  
zone 12, 1927 North American datum  
Photography scanned by optical scanning  
When double or mismatched image occurs use the  
margin of image position for map point



NORTH

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS  
FOR SALE BY U. S. GEOLOGICAL SURVEY, MENLO PARK, CALIF. 94025

T01N  
R21E  
S-30

By the Idaho Department of Water Resources pursuant to  
laws in filing notices of claims and objections in the Snake  
River, either express or implied, is made and no legal  
liability is assumed by its employees, its agents, contractors, and reproduction  
by reprint Supply Co. Inc. or its employees for the accuracy.  
Information set forth on this map.

Copies Of These Maps Can Be Obtained  
At Bonneville Blue Print, Boise Idaho

CROOKS 2 NW, IDAHO

NW SW SE

TIN  
TIS

TOIS  
R2E  
S-21

406000 N  
TIS

405

404

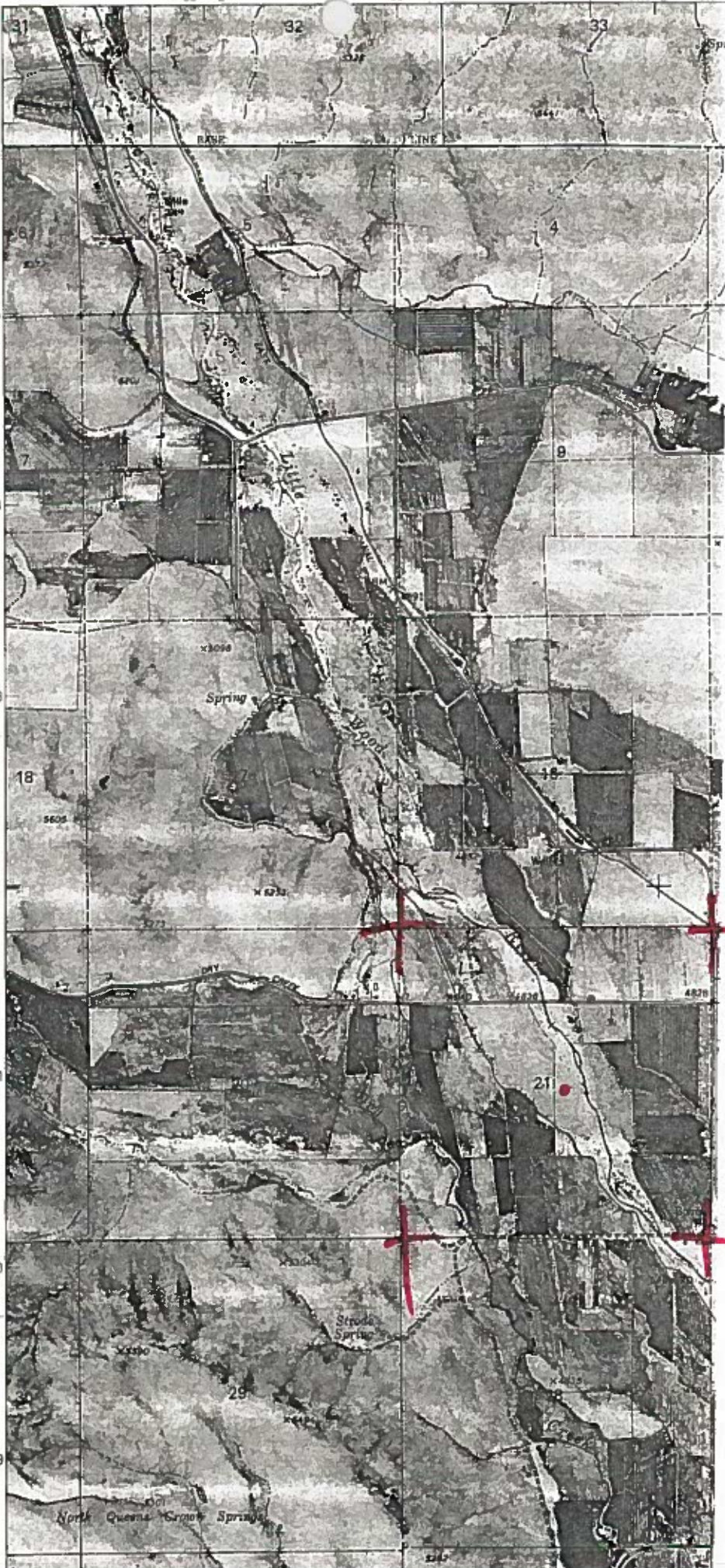
403

20'

401

400

499



MICROFILMED  
FEB 22 1953



05/02/2005

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

RIGHT NUMBER: 37-211

NAME AND ADDRESS: FOUR + RANCH INC  
PO BOX 44  
CAREY ID 83320

SOURCE: LITTLE WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 1.200 CFS

PRIORITY DATE: 04/01/1884

POINT OF DIVERSION:

T01N R21E S30 NWSWSE Within BLAINE County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE  
IRRIGATION

PERIOD OF USE  
04/15 10/31

QUANTITY  
1.200 CFS

PLACE OF USE:

IRRIGATION Within BLAINE County

|               |      |      |               |      |      |
|---------------|------|------|---------------|------|------|
| T01S R21E S21 | SWNE | 33.0 | T01S R21E S21 | SENE | 40.0 |
| T01S R21E S21 | NESE | 40.0 | T01S R21E S21 | NWSE | 25.0 |

138 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 37-127 IS LIMITED TO THE IRRIGATION  
OF A COMBINED TOTAL OF 138 ACRES IN A SINGLE IRRIGATION SEASON.

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

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

EXPLANATORY MATERIAL: Decreed

USE OF THIS RIGHT IS COMBINED WITH WATER FROM LITTLE WOOD RIVER  
IRRIGATION DIST.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT  
TO SECTION 42-1425, IDAHO CODE.

WATER IS DELIVERED THROUGH EAST CANAL.

# IDAHO DEPT OF WATER RESOURCES

## 37-127 & 37-211



1320 0 1320 Feet

-  Basin 37 part 1-POU
-  Basin 37 part 1-POD
-  Ownership FED-Private
-  Streams
-  Section Lines
-  Quarter - Quarter lines

TWN: 1S  
RNG: 21E  
SEC. 21



GIS Place of Use Presentation  
NAPP Aerial Photo 1987/1988  
By Steve Clelland

Date: MAY 2, 2005

04/12/2005  
**RECEIVED**  
**MAY 03 2005**  
**DEPARTMENT OF**  
**WATER RESOURCES**

**NOTICE OF ERROR  
REPLY**

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

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

**YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: June 3, 2005**

Water right number: 37-211

FOUR + RANCH INC  
PO BOX 44  
CAREY ID 83320  
Telephone Number: (208)823-4664

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

*see error card right # 37-127 along with  
map attached to 37-127 adding 14 acres these rights  
are together*

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

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

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

DATE: 4/22/05

SIGNATURE: Leta Hansen

Please print your name: Leta Hansen

IDWR State Office, 322 E. Front St., P.O. Box 83720, Boise, ID 83720-0098

12/02/2004

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

RIGHT NUMBER: 37-211

NAME AND ADDRESS: FOUR + RANCH INC  
PO BOX 44  
CAREY ID 83320

SOURCE: LITTLE WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 1.200 CFS

PRIORITY DATE: 04/01/1884

POINT OF DIVERSION:

T01N R21E S30 NWSWSE Within BLAINE County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE  
IRRIGATION

PERIOD OF USE  
04/15 10/31

QUANTITY  
1.200 CFS

PLACE OF USE: IRRIGATION Within BLAINE County

|               |      |      |               |      |      |
|---------------|------|------|---------------|------|------|
| T01S R21E S21 | SWNE | 30.0 | T01S R21E S21 | SENE | 40.0 |
| T01S R21E S21 | NESE | 40.0 | T01S R21E S21 | NWSE | 17.0 |

127 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 37-127 IS LIMITED TO THE IRRIGATION  
OF A COMBINED TOTAL OF 127 ACRES IN A SINGLE IRRIGATION SEASON.

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

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

EXPLANATORY MATERIAL: Decreed

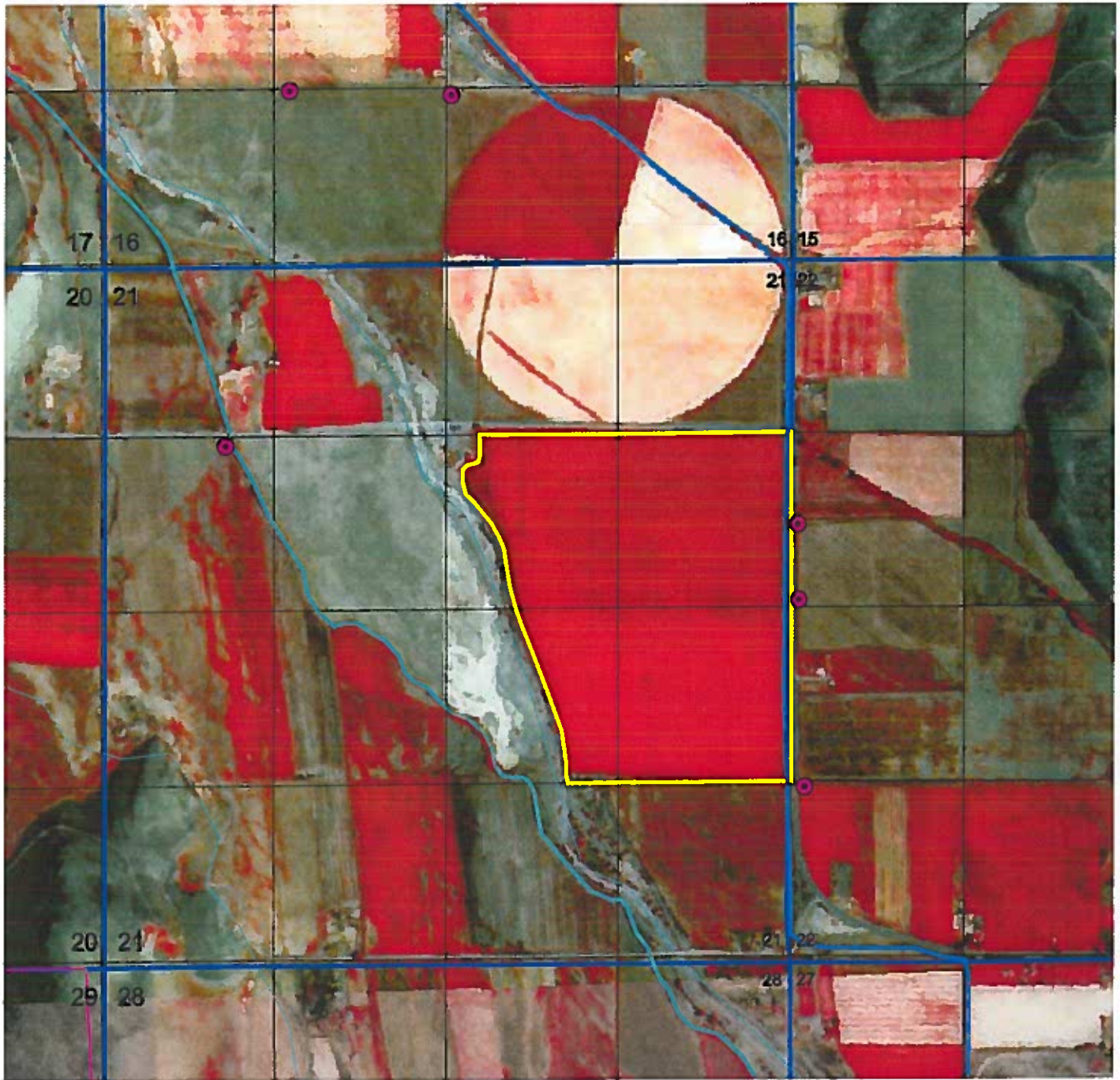
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT  
TO SECTION 42-1425, IDAHO CODE.

WATER IS DELIVERED THROUGH EAST CANAL.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM LITTLE WOOD RIVER  
IRRIGATION DIST.

# IDAHO DEPT OF WATER RESOURCES

## 37-127 & 37-211



1320 0 1320 Feet

-  Basin 37 part 1-POU
-  Basin 37 part 1-POD
-  Ownership FED-Private
-  Streams
-  Section Lines
-  Quarter - Quarter lines

TWN: 1S  
RNG: 21E  
SEC. 21



GIS Place of Use Presentation  
NAPP Aerial Photo 1987/1988  
By Steve Clelland

Date: DECEMBER 2, 2004

MEMO

TO: 37-211 file  
FROM: Steve Clelland  
DATE: 3-12-04

RE: Legal Review of Ownership of Decree

\*\*\*\*\*  
I met with Nick Spencer and discussed this at length to determine if sufficient support for ownership of this right exists for the current claimant of right 37-211, Four + Ranch Inc. This right is claimed on lands never included in the decreed land list and so I questioned the right to ownership and asked for a letter to clarify this situation. I got the letter from Leta Hansen and Larry Peterson that reaffirmed their claim the right was reserved and now owned as claimed.

The deed in 1973 conveyed the property, in part, on land T1S, R21E, S21, N1/2NE to Millington from Four + Ranch Inc. The deed referenced exhibit "A" that proceeded to list several water rights to be included in the sale of property. It failed to include the water right 37-211 or a description of that right, which is appurtenant to the land sold. Larry Peterson, owner at the time, had attempted to reserve the right for his own use on other lands. Mrs. Leta Hansen told me that Millington also understood this right was not included in the sale.

Several alternative legal theories can be offered to justify the current ownership as claimed and allow a recommendation of the right to Four + Ranch Inc. First, Larry Peterson could have moved the water to the claimed lands just prior to the sale and by accomplished transfer the right would now be on those lands as claimed. Or, secondly, there exists a mutual mistake with this deed wherein both buyer and seller assumed the right had been correctly reserved to the seller. This may justify a Quitclaim Deed at a later date if it is deemed necessary. Finally, conditions exist that support an adverse possession of the right by the seller.

Based upon this analysis, the right will be recommended to Four + Ranch Inc. as they have claimed.

RECEIVED

MAR 10 2004

Department of Water Resources

Date: March 8, 2004

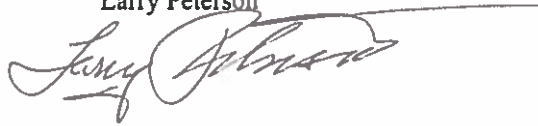
This letter is to explain the claim to water right #37-211, my father Larry Peterson who has owned this water right since the early sixties, reserved the water right at the time of the sale of the land in 1973. The water that was sold is listed on the Deed to Richard Millington. My father didn't realize that he need to exclude this water right on the deed, this right has remained in Larry Petersons name although the property has sold again since 1973. Larry was under the assumption that he still owned the right. In February 2004, Larry sold the remainder of his farm and Corporation, Four + Ranch, Inc. to Creg and Leta Hansen. If I can help clarify this matter any better please call, Leta Hansen, 208 823-4646

Thank you for your help in this matter.

Four + Ranch, Inc.

Larry Peterson

*Leta Hansen, Secretary*

A handwritten signature in dark ink, appearing to read "Larry Peterson", with a long horizontal line extending to the right.



State of Idaho

## DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098  
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: [www.idwr.state.id.us](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

MARCH 4, 2004

FOUR + RANCH INC  
PO BOX 44  
CAREY ID 83320

RE: INCOMPLETE OWNERSHIP

Dear Claimant,

After initially reviewing your claim 37-211, you need to submit further clarification on the ownership of the decreed water right. The right is decreed to land in the N1/2 N1/2 of section 21 while the claim is for the lands S1/2NE and N1/2SE of the same section. Since you are not claiming any of the land decreed to this right you will need to provide some evidence as to when and how this right is now located on different lands as you have claimed. This may be a deed or affidavit by a previous owner or other documentation that describes the situation. Without this proof the decreed right is appurtenant to the land it was decreed upon and your claim will be disallowed.

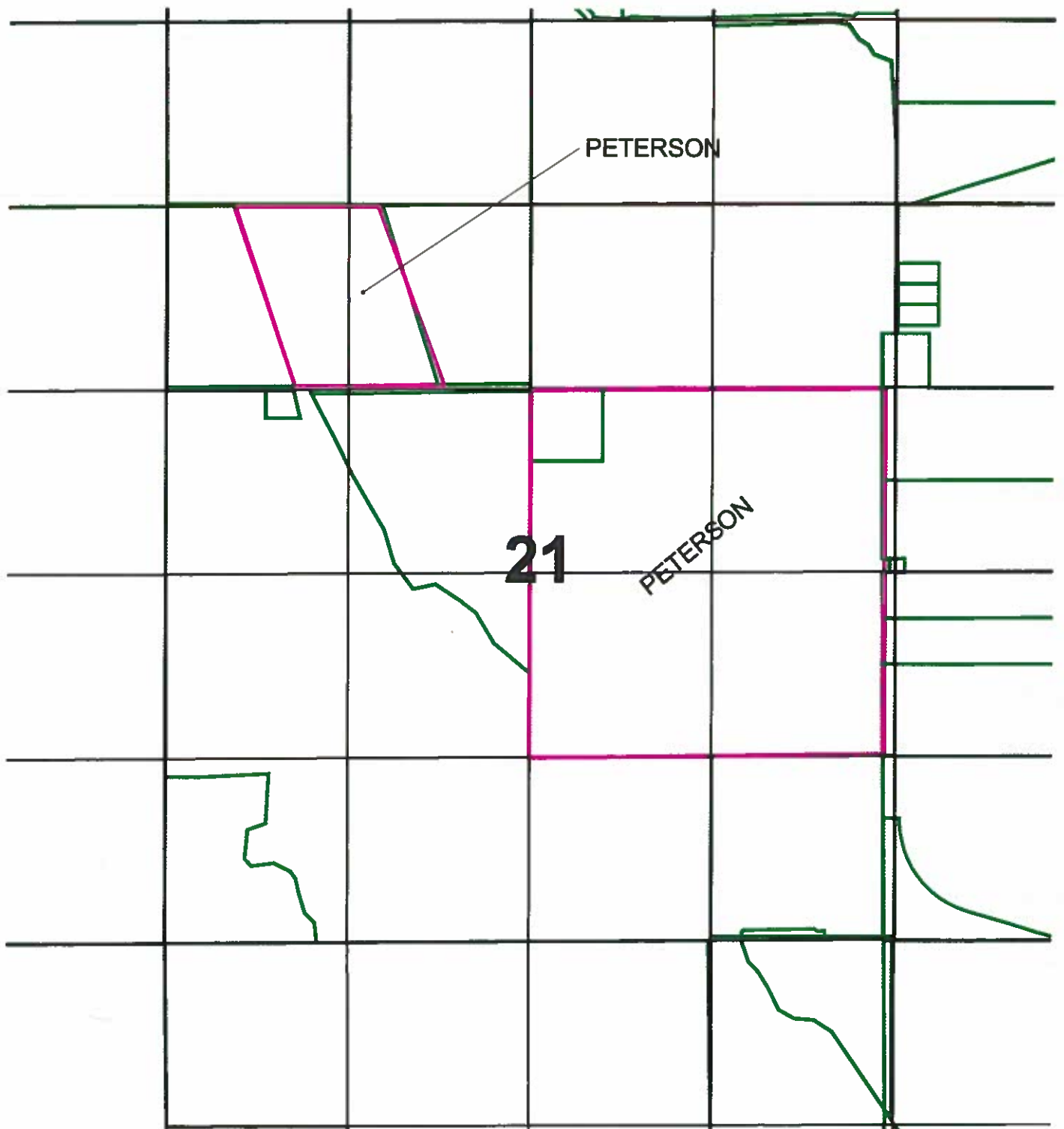
I have enclosed a proof report of the right 37-211 as it was decreed for your information.

If you have further questions on this water right, please feel free to call me at our office.

Sincerely,

STEVE CLELLAND  
Sr. Water Resource Agent

ENC:



37-211

## COMMUNICATION DOCUMENTATION

From: Vikie Hancock

January 12, 2004

Regarding:

Customer:

37-211

Larry Peterson

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Mr. Peterson came in this date to discuss his water rights in preparation of selling a portion of his land to his daughter, specifically the 160 acres located in the S ½ NE and N ½ SE Section 21, T01S, R21E.

It appeared to him that SRBA Claim 37-211 had been claimed incorrectly - as it has always been used on the 160 ac referenced above, as is right 37-127.

According to Mr. Peterson, 37-211 was mistakenly claimed on land he doesn't own in the N½ NE Section 21. In addition to 37-211 and 37-127 Mr. Peterson also uses 37-210, in the name of Florence Peterson his mother, on approximately 39 acres in the N½ NW Section 21.

I told Mr. Peterson that we could amend SRBA claim 37-211 to match the POU that he owns and on which he uses the water, but that it was decreed in 1909 on a different place of use, some of which he owns and some of which he does not. It told him that it would be beneficial for him to investigate county records and provide us documentation if possible that the water represented by 37-211 was indeed moved onto his property. The old decree #37-210 & 37-211 are in the name of his grandmother, Hattie Evans.

Judication  
Appointment

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01/12/2004

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-211

WATER RIGHT NUMBER: 37-211

Owner Type

Current Owner

Name and Address

LARRY PETERSON  
9300 N SNAFFLE BIT LN  
KUNA, ID 83637  
(208)922-4455

Priority Date: 04/01/1884

Basis: Decreed

Status: Active

Source

LITTLE WOOD RIVER

Tributary

MALAD RIVER

Beneficial Use

IRRIGATION

From To

4/01 to 11/01

Diversion Rate

1.200 CFS

Annual Volume

Total Diversion: 1.200 CFS

Location of Point(s) of Diversion

LITTLE WOOD RIVER

NW1/4SW1/4SE1/4

Sec. 30, Twp 01N, Rge 21E, B.M.

BLAINE County

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE   |      |      |    | NW |    |    |    | SW |    |    |    | SE   |      |    |    | Totals |
|-----|-----|-----|------|------|------|----|----|----|----|----|----|----|----|----|------|------|----|----|--------|
| 01S | 21E | 21  | NE   | NW   | SW   | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE   | NW   | SW | SE |        |
|     |     |     | 40.0 | 35.7 | 15.7 | 40 |    |    |    |    |    |    |    |    | 40.0 | 36.8 |    |    | 152.5  |

Total Acres: 152.5

Conditions of Approval:

Remarks:

Comments:

Dates and Other Information:

Amended to  
change pour  
this date  
to match  
claim 87-127

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-211

Dates and Other Information:

Claim Received Date: 10/12/1988

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number: 37N

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

Judication  
appointment

Page 1

01/12/2004

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-211

WATER RIGHT NUMBER: 37-211

Owner Type                      Name and Address

Current Owner                  HATTIE EVANS

, ZZ

Priority Date: 04/01/1884

Basis: Decreed

Status: Active

Source

LITTLE WOOD RIVER

Tributary

MALAD RIVER

Beneficial Use

IRRIGATION

From    To

/ to /

Diversion Rate

1.200 CFS

Annual Volume

Total Diversion:

1.200 CFS

Location of Point(s) of Diversion

LITTLE WOOD RIVER

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| 01S | 21E | 21  | X  | X  |    |    | X  | X  |    |    |    |    |    |    |    |    |    |    |        |

Conditions of Approval:

Remarks:

Comments:

Dates and Other Information:

— Claimed  
pou

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-211

Dates and Other Information:

Licensed Date:  
Decreed Date: 12/13/1909  
Water Supply Bank Enrollment Accepted:  
Water Supply Bank Enrollment Removed:  
Enlargement Use Priority Date:  
Enlargement Statute Priority Date:  
State or Federal:  
Owner Name Connector:  
Water District Number: 37N  
Generic Max Rate Per Acre:  
Generic Max Volume Per Acre:  
Decree Defendant: Alturas Water Co, et al  
Decree Plaintiff: S C Frost, et al  
Civil Case Number:  
Judicial District: Fourth District  
Swan Falls Trust or Nontrust:  
Swan Falls Dismissed:  
DLE Act Number:  
Carey Act Number:  
Mitigation Plan: False

Combined Use Limits:



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

July 30, 1997

Mr. and Mrs. Peterson  
48 Dry Creek Rd.  
Carey, ID. 83320

RE: (A) 37-00211, (A) 37-00127, (A) 37-02515(C), A37-11612, 37-08729

Dear Mr. and Mrs. Peterson,

Per our phone conversation today, I am sending you information about transferring water rights, in addition to, instructions regarding drilling a well. Also, I have included your claims.

Your original question was, "Can the well that is used for emergency supplemental groundwater be transferred to property in Gooding County?" The intent of this right, 37-08729, is to be used when there is no surface water.

Usually when an individual transfers a water right, a portion of the existing place of use is dried up in order to irrigate the new place of use.

The issue regarding transfers is complex. However, I wanted to send you all the information to possibly begin the process. Please call our office for any additional help you may need.

Sincerely,

A handwritten signature in cursive script that reads "Georgia Satterlee".

Georgia Satterlee  
Water Resource Agent

enclosures

## COMMUNICATION DOCUMENTATION

IDWR Employee/Agent: Steve Clelland

3/8/2004 9:00 AM

RE:

## RESPONSE TO LETTER

She also asked about the right 37-8729 from GW. She says it has been used from 1958. I found it as a current license from 1991. She may be able to prove the right has been around and file a SRBA claim for the historic use of the right but that will take some effort. She will look into the history and see if it is possible to document.