

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: **A81-10276**

Date Received: 7/20/1988

Receipt No: N001473

Received By: _____

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

1. Name: PATRICIA G MILLINGTON 208-788-2590
Address: DBA SELWAY LODGE
PO BOX 707
PICABO ID 83348

2. Date of Priority: DEC 31, 1913

3. Source: DITCH CREEK Trib. to: SELWAY RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
31N	13E	28	NW	NW			IDAHO

5. Description of diverting works:
DAMED DIVERSION TO OPEN DITCH 2' WIDE X 1'DEEP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	11/01	0.500		
DOMESTIC	05/01	11/01	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
31N	13E	21	NE	SW		IRR	10.0
			SE	SW		IRR	10.0

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JAN 17 1995

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
31N	13E	21	SE	SW		IRR	
						Section Acres	20.0
		28	NE	NW		IRR	5.0
						Section Acres	5.0
						Total Acres	25.0

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:
NONE

14. Remarks:
Water used to irrigate grass pasture during summer months. Ditch originally constructed by Henry Pettibone, homesteader from 1900 to 1934, in continuous use to present.

15. Basis of Claim: BENEFICIAL USE

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): _____ Date: _____
_____ Date: _____

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JAN 17 1995

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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JAN 17 1995

PATRICIA G. MILLINGTON
D/B/A SELWAY LODGE
P.O. BOX 707
PICABO, IDAHO 83348



SEPTEMBER 1, 1992

DEPARTMENT OF WATER RESOURCES
ATTN: ALLEN BEARDSLEE
1910 N W BLVD.
COUR D'ALENE, IDAHO 83814

RE: CHANGE OF OWNERSHIP

DEAR MR. BEARDSLEE:

ENCLOSED YOU WILL FIND A COPY OF THE WARRANTEE DEED WHICH
VERIFIES THE PURCHASE OF THE SELWAY LODGE FROM EVERETT AND
FREDERICA PEIRCE BY PATRICIA G. MILLINGTON.

WOULD YOU PLEASE MAKE THE CHANGE OF OWNERSHIP ON ALL
PERTINENT WATER RIGHTS? A COPY OF THE EXISTING ONE WHICH
IS IN THE PIERCES' NAME IS ALSO ENCLOSED.

IF YOU HAVE ANY QUESTIONS REGARDING THIS CHANGE, PLEASE
CONTACT ME AT (208) 788-2590.

VERY TRULY YOURS,

Debbie Broadie

DEBBIE BROADIE, SEC. FOR
PATRICIA G. MILLINGTON

ENC.

MICROFILMED

APR 23 1993

A81-10276

A81-10210

COMPUTER
INDEXED
TRACTED
FILMED
ASSIGNED

353893

WARRANTY DEED

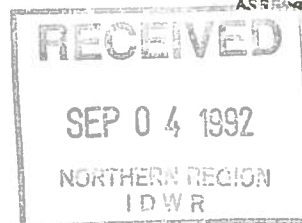
THIS DEED, Made this 2nd day of May, 1990
between EVERETT PEIRCE and FREDERICA PEIRCE, husband and
wife, aka Everett L. Peirce and Frederica F. Peirce,
husband and wife

County of Ravalli

of the Montana
State of Idaho, grantor(s) and

PATRICIA GREGSON MILLINGTON

whose legal address is Post Office Box 707, Picabo, Idaho 83348



of the

County of Blaine

Idaho
State of Idaho, grantee(s)

WITNESSETH, That the grantor(s), for and in consideration of the sum of Ten Dollars and other good and
valuable consideration ----- DOLLARS,
the receipt and sufficiency of which is hereby acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant,
bargain, sell, convey, and confirm, unto the grantee(s), her heirs and assigns forever, all the real property, together with improvements,
if any, situate, lying and being in the County of Blaine, State of Idaho,
described as follows:

See Exhibit "A" attached hereto and by this reference incorporated herein.

~~acknowledged before me~~

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and
reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the
grantor(s), either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described with the appurtenances, unto the grantee(s), her heirs and
assigns forever. And the grantor(s), for them selves, their heirs and personal representatives, do covenant, grant, bargain, and
agree to and with the grantee(s) her heirs and assigns, that at the time of the ensembling and delivery of these presents, they are well
seized of the premises above conveyed, have good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and
good right, full power and authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free
and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances, and restrictions of whatever kind or nature soever,
except

the lien for real and personal property taxes for 1990, due and payable in 1991 and SUBJECT
TO Right of Way Easement as contained in Quitclaim Deed recorded in Book 100 of Deeds, page 563;
Right of Way Easement recorded in Book 104 of Deeds, page 465; Right of Way Easement recorded in Book
104 of Deeds, page 467; Easement, recorded as Inst. #265839, as corrected by Agreement to Correct
Easement, recorded as Inst. #313138; Easement, recorded as Inst. #316830; and, Lack of access to and
from the land, which is not established of record. All recording information refers to the real
property records of Idaho County, Idaho.

The grantor(s) shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the
grantee(s), her his heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof.

IN WITNESS WHEREOF, the grantor(s) have executed this deed on the date set forth above.

MICROFILMED
APR 23 1993

Everett Peirce

EVERETT PEIRCE, aka Everett L. Peirce

Frederica Peirce
FREDERICA PEIRCE, aka Frederica F. Peirce

STATE OF MONTANA

County of Ravalli

The foregoing instrument was acknowledged before me this
by Everett Peirce, aka Everett L. Peirce, and Frederica Peirce, aka Frederica F. Peirce.
My commission expires

Nov. 13, 1990

2nd day of May

Witness my hand and official seal.

Martha L. Buehler
Notary Public

*If in Denver, insert "City and"

COMPUTER
INDEXED
TRACTED

Recorder.

EXHIBIT "A"

A portion of Homestead Entry Survey No. 455 in unsurveyed Township 31 North, Range 13 East, Boise Meridian, Idaho County, Idaho, described as beginning at corner No. 4;

thence N.66°50'00"E., for 31.02 feet to corner No. 5;
thence S.29°07'00"E., for 729.96 feet to corner No. 6;
thence S.14°26'00"W., for 2,302.74 feet to corner No. 7;
thence N.35°32'00"W., for 712.14 feet to corner No. 8;
thence N.1°33'00"E., for 2,026.86 feet to corner No. 9;
thence N.66°02'46"E., for 604.73 feet to corner No. 4 the place of beginning.

EXCEPT Beginning at the confluence of Ditch Creek with Selway River, a distance of 200 feet more or less, along the west bank of the Selway River in a northeasterly direction to a point;
thence northwesterly a distance of 100 feet, more or less, to a point;
thence southwesterly a distance of 200 feet, more or less, to a point located on the north bank of Ditch Creek;
thence along the north bank of Ditch Creek in a southeasterly direction 100 feet, more or less, to the confluence of Ditch Creek with the Selway River and point of beginning.

ALSO EXCEPT beginning at corner No. 7 of Homestead Entry No. 455,
thence N.35°32'00"W., for 100 feet;
thence N.14°26'00"E., for 100 feet to corner No. 1;
thence N.35°32'00"W., for 100 feet to corner No. 2;
thence S.14°26'00"W., for 100 feet to corner No. 3;
thence S.35°32'00"E., for 100 feet to corner No. 4;
thence N.14°26'00"E., for 100 feet to corner No. 1.

MICROFILMED

APR 23 1993

Filed and recorded at the request of Inland Title
at 9:30 o'clock A M this 5 day of July 1990
By Louise Hoagland
Deputy
ROSE E. GEHRING
Ex-Officio Auditor and Recorder
Idaho County, Idaho Fee \$ 6.00

Water Right Number - A81-10276

Adj. Flag Translation: Adjudication Temporary Work Area Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - - + - - - - - Address - - - - - + - - - - -

*** C - CURRENT OWNER ***
PEIRCE

EVERETT L.

1 - P.O. BOX 1100

2 -

3 -

City- HAMILTON

Phone - 406-363-2555

State- MT Zip- 59840

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
12/31/1913 J - BENEFICIAL USE+ - - - - Source - - - - - + + - - - - Tributary - - - - - + + - - - - +
DITCH CREEK SELWAY RIVER+ - - - - - - - - - - - Point of Diversion - - - - - Stream Index (Blank if no Index Code) - - - - - +
TWN Rng Sec Tract Lot Rfig County

31N 13E 28 NW NW (49) IDAHO

+ - - - - - - - - - - - Water Use - - - - - Diversion Rate Diversion Volume - - - - - +
Code Description Period From Period To01 - IRRIGATION
43 - DOMESTIC05/01 11/01
05/01 11/010.500
0.040+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - + + - - Total Consumptive Use - + + - - KW Usage - +
0.540+ - - - - - - - - - - - Place of Use - - - - - Description - - - - - County - - - - - +
Twn Rng Sec Tract Lot Acres Code

| | | | | | | | |
|-----|-----|----|-------|------|----|------------|-------------|
| 31N | 13E | 21 | NE SW | 10.0 | 01 | IRRIGATION | (49) IDAHO |
| 31N | 13E | 21 | SE SW | 10.0 | 01 | IRRIGATION | (49) IDAHO |
| 31N | 13E | 21 | SE SW | | 01 | IRRIGATION | (49) IDAHO |
| 31N | 13E | 28 | NE NW | 5.0 | 01 | IRRIGATION | (49) IDAHO |

Total Acres: 25.0

+ - - - - Diversion Means - DAMED DIVERSION TO OPEN DITCH 2' WIDE X 1'DEEP

+ - - - - Non-Irrigation Use - D/1 HOME

+ - - - - Other Rights for Same Use - NONE

+ - - - - - - - - - - - Remarks - - - - - +
Water used to irrigate grass pasture during summer months. Ditch
originally constructed by Henry Pettibone, homesteader from 1900
to 1934, in continuous use to present.+ - - - - - - - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.✓ 5-92
MICROFILMED

APR 23 1993

| | | | | | | | | |
|-----------------------|---|------------|-----------------------|---|------------|-------------------------|---|-------|
| Court Report Filing | - | 00/00/0000 | Field Inspection Made | - | 00/00/0000 | Civil Case Number | - | 39576 |
| Objection Filed Date | - | 00/00/0000 | Field Inspection Flag | - | | Old Case Number | - | |
| Response Filed Date | - | 00/00/0000 | Verified Date | - | 00/00/0000 | Old Judicial District | - | |
| Claim Received Date | - | 07/20/1988 | Last Amended Date | - | 00/00/0000 | Temporary Right | - | P |
| Claims Tape Error Flg | - | | Receipt Number | - | N001473 | Water District | - | |
| Fee Exempt Flag | - | | POU Ownership Flag | - | Y | Federal/State Indicator | - | S |
| | | | Name Connector | - | | Presumption Flag | - | |

APR 23 1993

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: 39356

Ident. Number A81-10276

Date Received

Receipt Number N 1473

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

JUL 30 1988

No Fee P4A
Department of Water Resources
Northern District Office

Please type or print clearly

1. Name of Claimant (s) Everett L. Peirce dba Selway Lodge Phone (406) 363-2555Mailing Address P.O. Box 1100, Hamilton, MTZip 598402. Date of Priority (Only one (1) per claim) June 25, 1973 1913 JK-SEE MEMO

RECEIVED

3. Source of water supply (a) Ditch Creek
which is tributary to (b) Selway River

SEP 15 1988

Department of Water Resources
Northern District Office

4. a. Location of existing point of diversion is: Township 31N Range 13E Section 28
NW 1/4 of NW 1/4 of 1/4, Govt. Lot, 1 B.M., County of Idaho

Additional points of diversion if any: _____

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

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

Govt. Lot _____ B.M., County of _____

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

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Dammed diversion to open ditch (prox. 2'
wide and 1' deep) running prox. 1/2 mile

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APR 23 1993

Copies: White-State, Yellow-Claimant

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Domestic purposes from May 1 to Nov 1 amount .04 or _____

For Irrigation purposes from May 1 to Nov 1 amount .5 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .54 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 25 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Small amount for domestic use in residence

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

| TWP | RNG | SEC | NE 1/4 | | | | NW 1/4 | | | | SW 1/4 | | | | SE 1/4 | | | | Totals |
|-----|-----|-----|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|
| | | | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | |
| 31N | 13E | 21 | | | | | | | | | 10 | | | 10 | | | | | 20 |
| | | 28 | | | | | 5 | | | | | | | | | | | | 5 |
| | | 21 | | | | | | | | | | | | D | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

Total number of acres irrigated 25

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

12. Do you own the property listed above as place of use? Yes X No _____

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

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

or None ()

14. Remarks:

Water used to irrigate grass pasture during summer months. Ditch originally constructed by Henry Pettibone, homesteader from 1900 to 1934, and in continuous use to present.

Last Name _____ Ident No. A81-10276

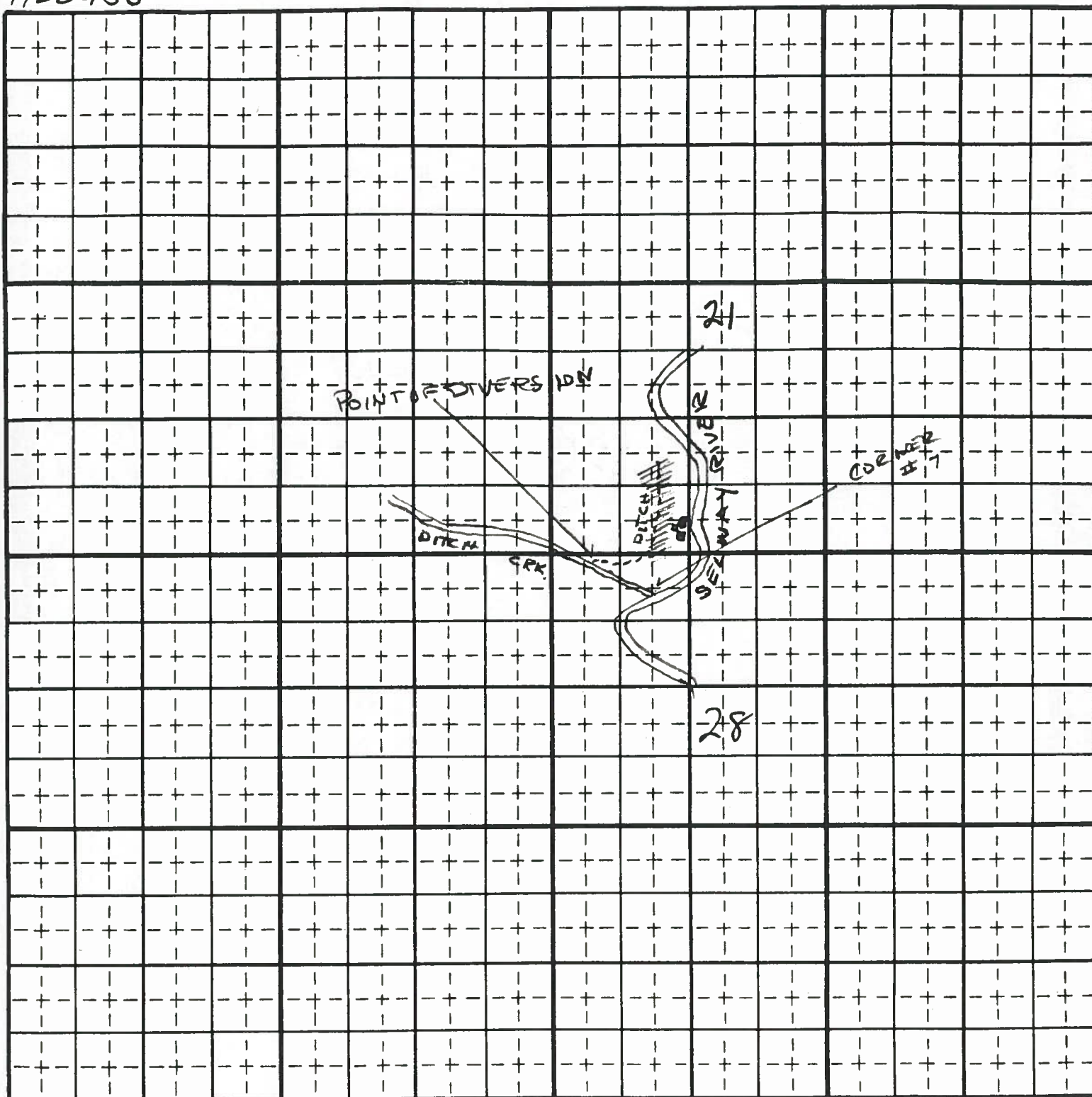
MICROFILMED
Copies: White State Yellow Claimant
APR 23 1999

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

EVERETT PEIRCE dba SELWAY LODGE

14ES455 - T31N R13E



MICROFILMED

APR 23 1993

Last Name _____

Ident No. A81-10276

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit 81-7020

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs 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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) [Signature] Date 6/27/88

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title _____

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Montana)
County of Beavalli) SS.

Subscribed and sworn (or affirmed) before me this 27th day of June 19 88

SEAL

Notary Public Martha Burgett

Residing at Stevensville

My Commission Expires Nov. 13, 1990

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number 481-10276

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APR 23 1993

Copies White-State, Yellow-Claimant

MEMORANDUM

TO: File

FM: Tom King, Sr. Agent - Northern Region

Date: August 20, 1988

Subject: Priority Date Notice of Claim

I contacted Mrs. Everett Peirce and she stated that a typographical error was made on the priority date of the Claim made by Selway Lodge. The date should have been June 25, 1913.

MICROFILMED

APR 23 1993

A81-10276

**ROBERTSON, HEPWORTH, SLETTE,
WORST & STOVER,
P.L.L.C.**

ATTORNEYS AT LAW

J EVAN ROBERTSON
JEFFREY J HEPWORTH
GARY D SLETTE
RICHARD J "TUG" WORST
TIMOTHY J STOVER

161 5th Avenue South, Suite 100
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041



TIMOTHY J. STOVER
tstover@idalawyer.com

February 16, 2005

RECEIVED

FEB 17 2005

Department of Water Resources
Southern Region

Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

RE: **Water Right Number 81-10276
Selway Inn, Inc./Robert Greenhill**

RECEIVED
FEB 24 2005
IDWR/North

Dear IDWR:

Enclosed please find an original Notice of Representation with regard to the above Water Right. Please see that this is filed and the addresses are changed.

Thank you for your assistance with this matter. If you have any questions or need anything further, please feel free to contact me.

Yours truly,

TIMOTHY J. STOVER

TJS:jl

Encls

cc: Butch Harper

*re word change 2-18-05.
JS*

SCANNED

FEB 18 2005

RECEIVED

FEB 17 2005

Department of Water Resources
Southern Region

RECEIVED

FEB 18 2005

DEPARTMENT OF
WATER RESOURCES

Timothy J. Stover, ISB#4842
ROBERTSON, HEPWORTH, SLETTE,
WORST & STOVER, PLLC
P.O. Box 1906
Twin Falls, Idaho 83303-1906
Telephone: (208) 734-0700
Fax: (208) 736-0041
(tjl/tjs/greenhill-selwaywater/ntc of appear)

*Record changed
2-18-05 -js*

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION) NOTICE OF REPRESENTATION
FOR PERMIT NO. 81-10276)
THE NAME OF SELWAY INN INC.)
_____)

The Idaho Department of Water Resources (IDWR), is hereby notified, pursuant to IDWR Rules of Procedure 200-205 (IDAPA 37.01.01.200 through IDAPA 37.01.01.205), that Selway Inn, Inc. will be represented in the above entitled matter by Timothy J. Stover of the firm Robertson, Hepworth, Slette, Worst & Stover, PLLC. All documents should be served upon both Timothy J. Stover and Selway Inn, Inc. c/o Robert Greenhill at the following addresses:

Timothy J. Stover
Robertson, Hepworth, Slette,
P.O. Box 1906
Twin Falls, ID 83303-1906

Selway Inn, Inc.
c/o Robert Greenhill
300 Park Avenue, 23rd Floor
New York, NY 10022

DATED this 16th day of February, 2005.

ROBERTSON, HEPWORTH, SLETTE,
WORST & STOVER, PLLC

By: _____

Timothy J. Stover

**ROBERTSON, HEPWORTH, SLETTE,
WORST & STOVER,
P.L.L.C.
ATTORNEYS AT LAW**

J. EVAN ROBERTSON
JEFFREY J. HEPWORTH
GARY D. SLETTE
RICHARD J. "TUG" WORST
TIMOTHY J. STOVER

161 5th Avenue South, Suite 100
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041



TIMOTHY J. STOVER
tstover@idalawyer.com

January 10, 2005

RECEIVED
JAN 12 2005
IDWR/North

Ken Knoblich
Idaho Department of Water Resources
1910 Northwest Blvd., Ste. 210
Coeur d'Alene, ID 83814-2615

RE: **Water Right Number 81-10276
Selway Inn, Inc./Robert Greenhill**

Dear Mr. Knoblich:

As we believed that there was a problem with the place of use on the above referenced proposed water right, enclosed please find another revised map which I have received from my client which should address that issue. Should you wish to discuss this matter, please feel free to contact me.

Thank you for your assistance with this matter.

Yours truly,

TIMOTHY J. STOVER

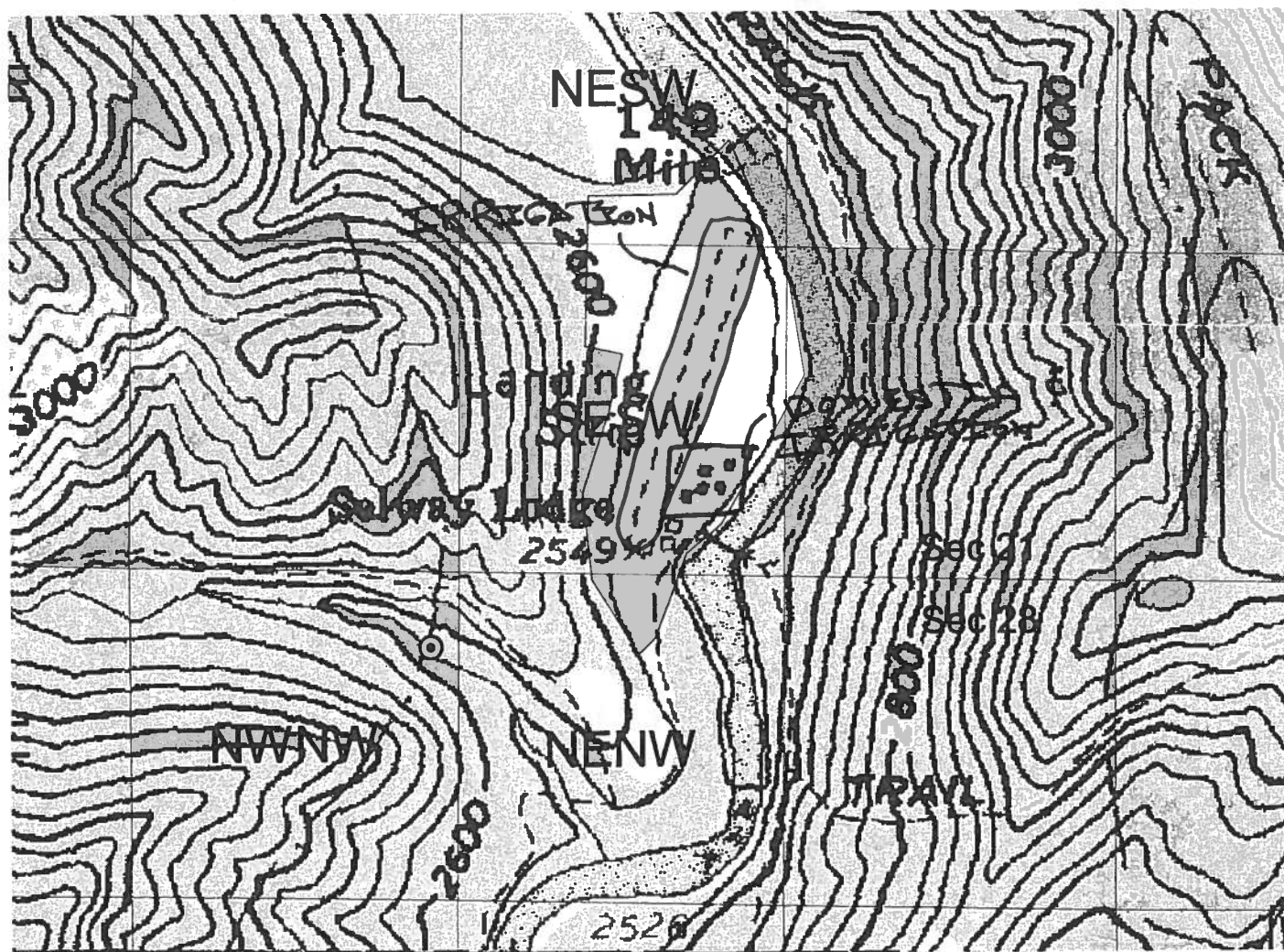
1.2

TJS:jl
Encls

cc: Robert Greenhill ((212-408-0696)
Frank Miceli @ Dorian Vergos & Co. (212-307-7199)
Butch Harper

RECEIVED
JAN 12 2005
IDWR/North

81-10276



0 200 400 Feet

Sections 21 & 28
T31N R13E



⊙ Point of Diversion

□ Place of Use

Map prepared on August 16, 2004
By Kenneth Knoblock
Idaho Department of Water Resources

12/10/2004

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

RIGHT NUMBER: 81-10276

NAME AND ADDRESS: SELWAY INN INC
C/O ROBERT GREENHILL
31 W 52ND ST 16TH FLOOR
NEW YORK NY 10019

SOURCE: DITCH CREEK

TRIBUTARY: SELWAY RIVER

QUANTITY: 0.540 CFS

The quantity of water for domestic use under this right shall not exceed
13,000 gallons per day.

PRIORITY DATE: 12/31/1913

POINT OF DIVERSION:

T31N R13E S28 NENW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION | 04/01 10/31 | 0.500 CFS |
| DOMESTIC | 05/01 11/01 | 0.040 CFS |

PLACE OF USE: IRRIGATION Within IDAHO County

| | | | | | |
|---------------|------|-----|---------------|------|------|
| T31N R13E S21 | NESW | 3.5 | T31N R13E S21 | SESW | 20.0 |
| T31N R13E S21 | SWSE | 0.5 | T31N R13E S28 | NENW | 1.0 |

DOMESTIC Within IDAHO County

T31N R13E S28 NENW

25 ACRES TOTAL

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.

PROPERTY IS WITHIN HOMESTEAD ENTRY SURVEY NO. 455 AND DOES
INCLUDE ANY FEDERAL LAND.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use



State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

Fax (208) 769-1454

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

December 10, 2004

Timothy Stover
Robertson, Hepworth, Slette, Worst & Stover
Box 1906
Twin Falls, ID 83303

RE: 81-10276

Dear Mr. Stover:

We have changed the point of diversion of this water right to the NENW of Section 28, T31N R13E. We have also added a remark identifying the HES and stated that it does not include any federal land. A copy of the preliminary recommendation is enclosed.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ken Knoblock', written over a horizontal line.

Kenneth Knoblock
Water Resources Agent

**ROBERTSON, HEPWORTH, SLETTE,
WORST & STOVER,
P.L.L.C.
ATTORNEYS AT LAW**

J. EVAN ROBERTSON
JEFFREY J. HEPWORTH
GARY D. SLETTE
RICHARD J. "TUG" WORST
TIMOTHY J. STOVER

161 5th Avenue South, Suite 100
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041



TIMOTHY J. STOVER
tstover@idalawyer.com

December 2, 2004

Ken Knoblich
Idaho Department of Water Resources
1910 Northwest Blvd., Ste. 210
Coeur d'Alene, ID 83814-2615

RE: **Water Right Number 81-10276
Selway Inn, Inc./Robert Greenhill**

RECEIVED
DEC - 6 2004
IDWR North

Dear Mr. Knoblich:

Enclosed please find a Notice of Error Reply regarding the above Water Right. My client has indicated a change in the point of diversion. Thank you for your courtesy in allow us some extra time to file this. Should you have any questions or need anything further, please feel free to contact me.

Thank you for your assistance with this matter.

Yours truly,

TIMOTHY J. STOVER

TJS:jl

cc: Robert Greenhill ((212-408-0696)
Frank Miceli @ Dorian Vergos & Co. (212-307-7199)
Butch Harper

09/27/2004

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: November 26, 2004

Water right number: 81-10276

SELWAY INN INC
C/O ROBERT GREENHILL
31 W 52ND ST 16TH FLOOR
NEW YORK NY 10019
Telephone Number: (212)408-0660

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

POINT OF DIVERSION

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

CHANGE POINT OF DIVERSION TO
S-28 NE 1/4, OF THE NW 1/4

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

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

DATE: _____ SIGNATURE: Butch Harper
Please print your name: BUTCH HARPER

IDWR Regional Office, 1910 Northwest Blvd, Suite 210, Coeur D' Alene, ID 83814, 2087691450

**ROBERTSON, HEPWORTH, SLETTE,
WORST & STOVER,
P.L.L.C.**

ATTORNEYS AT LAW

J. EVAN ROBERTSON
JEFFREY J. HEPWORTH
GARY D. SLETTE
RICHARD J. "TUG" WORST
TIMOTHY J. STOVER

161 5th Avenue South, Suite 100
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041



TIMOTHY J. STOVER
tstover@idalawyer.com

November 19, 2004

Ken Knoblich
Idaho Department of Water Resources
1910 Northwest Blvd., Ste. 210
Coeur d'Alene, ID 83814-2615

RECEIVED

NOV 22 2004

IDWR North

RE: **Water Right Number 81-10276**
Selway Inn, Inc./Robert Greenhill

Dear Mr. Knoblich:

Pursuant to our telephone conversation, it sounds like there is a problem with the Place of Use as indicated in the IDWR Preliminary Recommendation of Water Rights Acquired Under State Law for Water Right Number 81-10276. Therefore, I will get with my client as quickly as possible in an effort to rectify the problem and will forward any pertinent information to you. As we discussed, it will be difficult for me to gather the needed information prior to the November 26, 2004 deadline. Therefore, I understand that you will allow me some additional time to respond.

Thank you for your assistance with this matter.

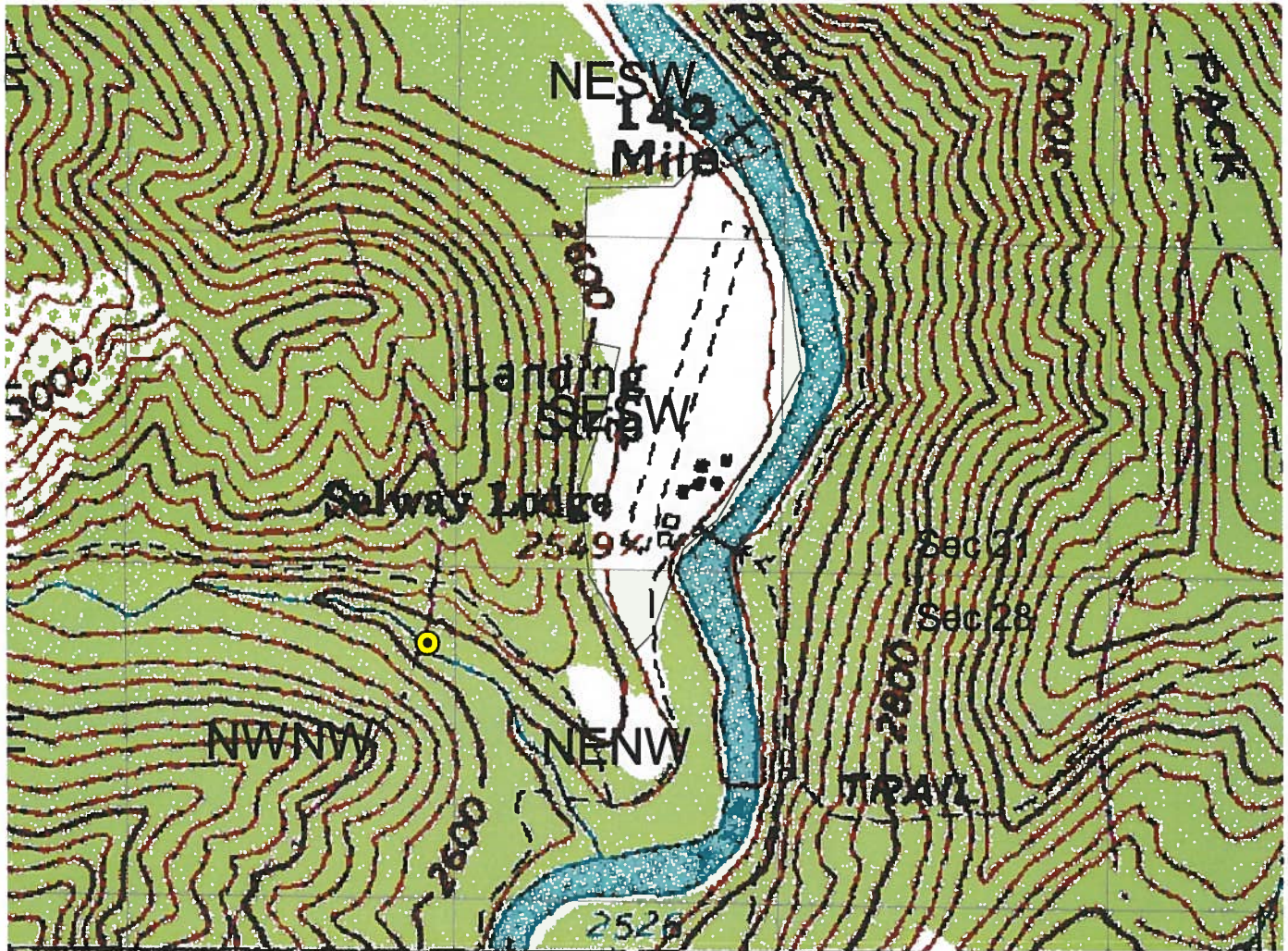
Yours truly,

TIMOTHY J. STOVER

TJS:jl

cc: Robert Greenhill ((212-408-0696))
Frank Miceli @ Dorian Vergos & Co. (212-307-7199)
Butch Harper

81-10276



0 200 400 Feet

Sections 21 & 28
T31N R13E



● Point of Diversion

□ Place of Use

Map prepared on August 16, 2004
By Kenneth Knoblock
Idaho Department of Water Resources

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

NAME AND ADDRESS: SELWAY INN INC
C/O ROBERT GREENHILL
31 W 52ND ST 16TH FLOOR
NEW YORK NY 10019

TRIBUTARY: SELWAY RIVER

13,000 The quantity of water for domestic use under this right shall not exceed
 gallons per day.

POINT OF DIVERSION:

T31N R13E S28 NWNW Within IDAHO County

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION | 04/01 10/31 | 0.500 CFS |
| DOMESTIC | 05/01 11/01 | 0.040 CFS |

| | | | | | |
|-------------------------------------|------|-----|---------------|------|------|
| T31N R13E S21 | NESW | 3.5 | T31N R13E S21 | SESW | 20.0 |
| T31N R13E S21 | SWSE | 0.5 | T31N R13E S28 | NENW | 1.0 |
| <u>DOMESTIC Within IDAHO County</u> | | | | | |
| T31N R13E S28 | NENW | | | | |

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

1



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

~~81-7020~~
81-7020
81-7184

February 25, 1998

J E ROBERTSON & T J STOVER
ROSHOLT ROBERTSON & TUCKER
PO BOX 1906
TWIN FALLS ID 83303-1906

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim #A81-10276
Selway Inn, Inc.

Gentlemen:

Notice of the change in ownership of the water right claim referenced above has been received. Our records have been changed accordingly.

Enclosed is a computer-generated copy of your client's claim. Please refer to this record number in any future inquiries or correspondence.

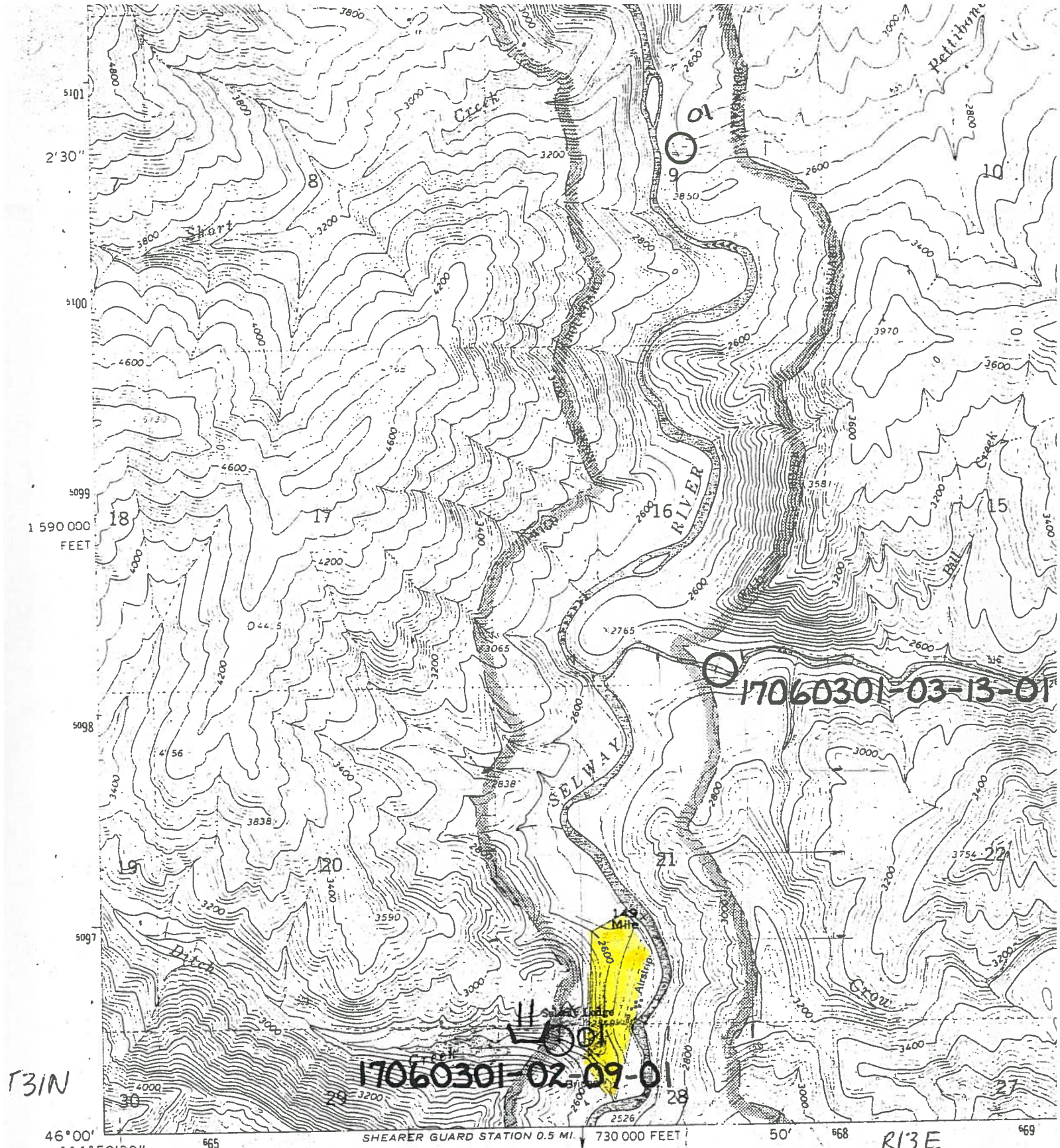
If your client's mail delivery address changes in any form, please contact us in writing so we can update our records to assure they receive important notices concerning their water right claim.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:

Copy of Notice of Claim Referenced Above

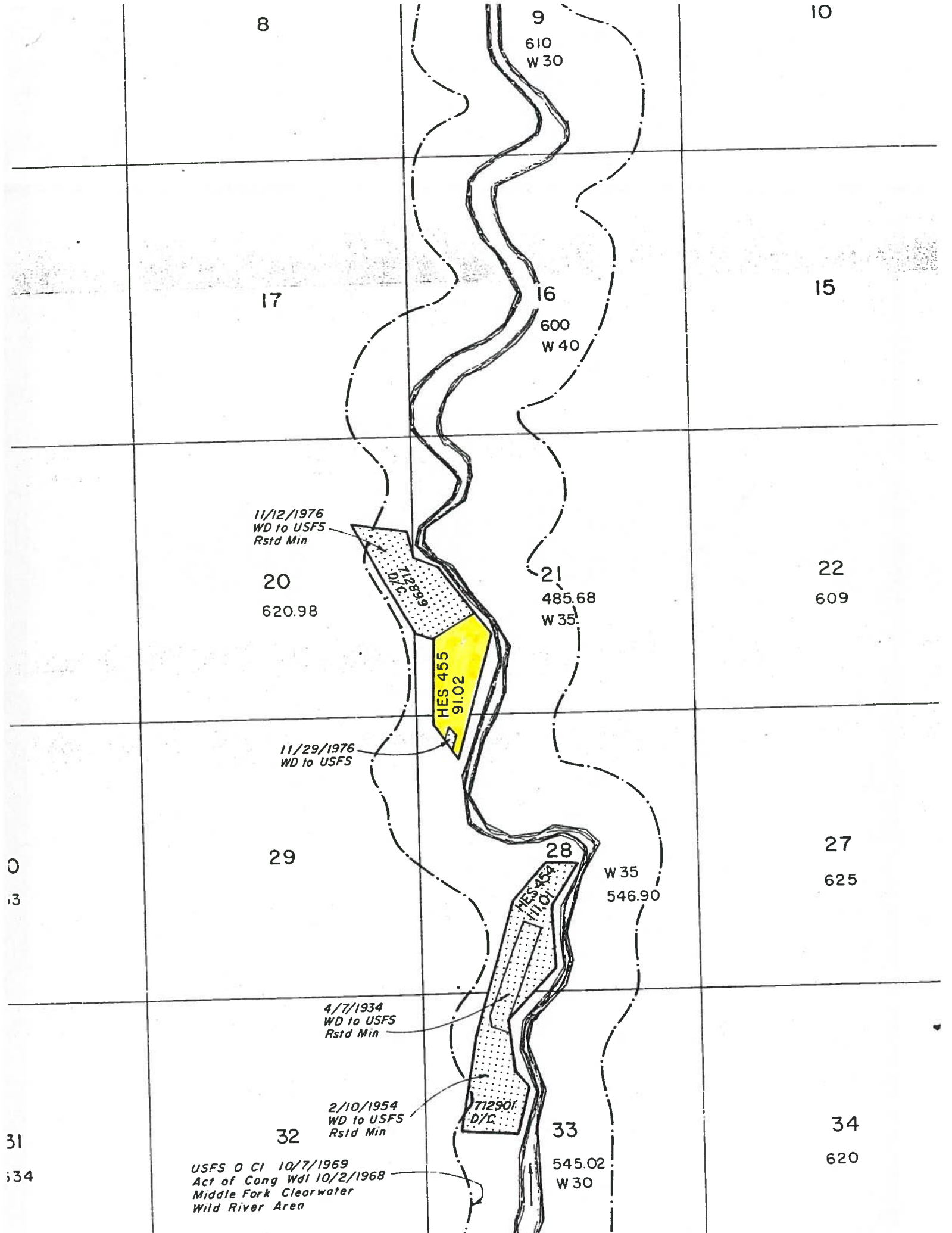


LIES PEAK
2075 IV NW

Base map prepared by the U.S. Geological Survey
 Control by USGS and NOS/NOAA
 Topography by photogrammetric methods from aerial
 photographs taken 1964. Field checked 1966
 Polyconic projection. 1927 North American Datum
 10,000-foot grid based on Idaho coordinate system,
 west zone
 1000-meter Universal Transverse Mercator grid ticks,
 zone 11
 Landnet revised according to additional Forest Service Evidence

GN MN
 1°34' 28 MILS 17 1/2° 311 MILS
 UTM GRID AND 1986
 MAGNETIC NORTH

0 1000 0 100
 Dog Cr.
 CON
 National Forest Boundary
 Alienated Land as of 1986
 TOWNSHIP AND SECTION LINE CLASSIFICATION



8

9

10

610
W 30

17

16

15

600
W 40

11/12/1976
WD to USFS
Rstd Min

20

620.98

21

485.68
W 35

22

609

11/29/1976
WD to USFS

HES 455
91.02

29

28

27

W 35
546.90

625

4/7/1934
WD to USFS
Rstd Min

2/10/1954
WD to USFS
Rstd Min

712901
D/C

33

545.02
W 30

32

34

620

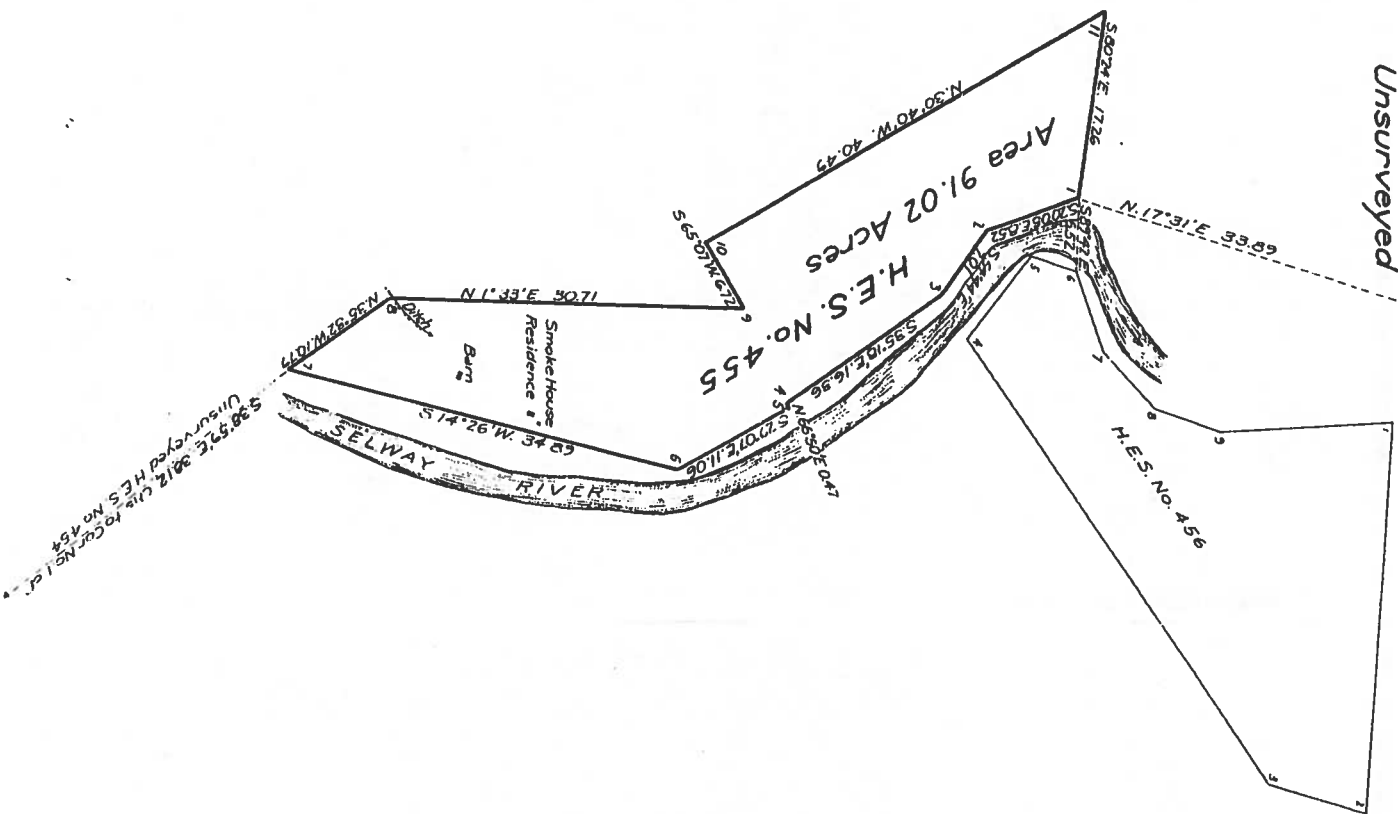
USFS O CI 10/7/1969
Act of Cong Wdl 10/2/1968
Middle Fork Clearwater
Wild River Area

Plotted

Survey accepted Nov. 10, 1917.
G.L.D.

T.31N., R.13E.
Unsurveyed

US L.M. No. 454



HOMESTEAD
ENTRY SURVEY

No. 455
in the
SELWAY

NATIONAL FOREST
in
Section—unsurveyed, T.31N., R.13E.
of the
BOISE MERIDIAN
IDAHO

This plat of Homestead Entry Survey
No. 455 State of Idaho
is
strictly conformable to the field notes
thereof on file in this office, which
have been examined and approved.

L.S. Surveyor General's Office

Boise, Idaho.

August 4, 1917.

Edward H. Harkins
L.S. Surveyor General

S.C.M.E. 10 chains to 1 inch

| Survey's
Designated | By whom Surveyed | Inst. Cont. Group | When Surveyed | Transected | Date of
Approval |
|------------------------|----------------------------|-------------------|---------------|-------------------|---------------------|
| H.E.S. No. 455 | E. R. Johnson
Surveyor | 455 | Apr. 11, 1916 | August 31, 1916 | September 5, 1916 |
| H.E.S. No. 456 | E. R. Johnson
Draftsman | 456 | Apr. 11, 1916 | August 29, 1916 | August 31, 1916 |
| H.E.S. No. 454 | | 454 | | September 9, 1916 | |

| H.E.S. Survey No. 455 | | Acres in Acres |
|-----------------------|-------|----------------|
| In Section | | Transects |
| In Section | | |
| In Section | | |
| Total | 91.02 | |

| | |
|------------------------|------------------------|
| Set of June 11, 1906 | Set of August 1, 1916 |
| Set No. 1-473 | Set No. 1-473 |
| Set No. 1-473 | Set No. 1-473 |
| Latitude 46° 01' N | Latitude 46° 01' N |
| Longitude 114° 12' W | Longitude 114° 12' W |
| Mean High Water 2797.5 | Mean High Water 2797.5 |

JAN-21-1998 13:47

GREENHILL & CO., LLC

P.03/03

Form 42-248/0-1-02048 February 1, 1997

RECEIVED

OCT 27 1997

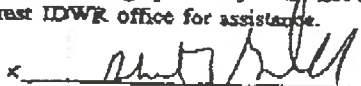
RECEIVED

OCT 22 1997

NORTHERN REGION
IDWRSTATE OF IDAHO Department of Water Resources
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): _____
Adjudication Claim No(s): A81-10276
2. The following REQUIRED information must be submitted with this form:
QUITCLAIM AND WARRANTY DEED
* A. A copy of the most recent DEEDS / ~~WARRANTY DEEDS~~ / ~~WARRANTY DEEDS~~ or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
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.)
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.
3. Name and Address of Former Owner/Claimant: PATRICIA G MILLINGTON d/b/a SELWAY LODGE
P. O. BOX 707
PICABO, ID 83348
4. New Owner/Claimant(s): SELWAY INN, INC. c/o ROBERT F. GREENHILL, PRESIDENT
New Mailing Address: 31 West 52nd Street, 16th Floor
City, State and ZIP Code: NEW YORK, NEW YORK 10019
New Telephone Number: (212) 408-0660
5. Date you acquired the property: _____
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 _____ 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 forms.)
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..

JAN 21 '98 11:30

TOTAL P.03
PAGE.003

** TOTAL PAGE.002 **



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

February 2, 1998

RECEIVED

FEB 17 1998

Department of Water Resources

SELWAY INN INC
C/O ROBERT GREENHILL PRESIDENT
PO BOX 880
NEW YORK NY 10101-0880

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim #A81-10276

Dear Claimant:

Notice of the change in ownership of the water right claim referenced above has been received. Our records have been changed accordingly.

Enclosed is a computer-generated copy of the claim for Selway Inn, Inc. Please refer to this record number in any future inquiries or correspondence.

If your mail delivery address changes in any form, please contact us in writing so we can update our records to assure you receive important notices concerning your water right claim.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosures:

Copy of Notice of Claim Referenced Above
"How You Will Receive Notice...."

RECEIVED

OCT 27 1997

RECEIVED

OCT 22 1997

NORTHERN REGION
IDWR

STATE OF IDAHO Department of Water Resources
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).: _____
- Adjudication Claim No(s).: A81-10276
- COPY**
2. The following REQUIRED information must be submitted with this form:
QUITCLAIM AND WARRANTY DEED
- * A. A copy of the most recent DEEDS / ~~DEEDS, CONTRACT OF SALE, or~~ other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
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.)
- 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.
3. Name and Address of Former Owner/Claimant PATRICIA G MILLINGTON d/b/a SELWAY LODGE
P. O. BOX 707
PICABO, ID 83348
4. New Owner/Claimant(s) SELWAY INN, INC. c/o ROBERT G. GREENHILL, PRESIDENT
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address P. O. BOX 880
City, State and ZIP Code NEW YORK, NEW YORK 10101-0880
New Telephone Number (212) 418-0660
5. Date you acquired the property _____
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 _____ 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) x 
- (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..

COPY

record modified 01-30-1998

100

RB 1-28-98

ROSHOLT, ROBERTSON & TUCKER
ATTORNEYS AT LAW

142 3RD AVENUE NORTH
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
(208) 734-0700

RECEIVED

FEB 12 1998

Department of Water Resources

DATE:

Feb 9, 1998

TO:

Sally Sherman

RE:

*Here is the signed NOA
you requested for the
Selway Run One.*

Thanks

Crystal Vincent

A81-10276

ROSHOLT, ROBERTSON & TUCKER

BY:

she
sent form 42-1409(a) insked.
Added attorneys to claim
pp 82-890.

Claimant Acknowledgement of Change in Attorney in Snake River Basin Adjudication (SRBA)

RECEIVED

FEB 12 1997

Name(s) of Claimant (please print):

SELWAY INN, INC. c/o ROBERT F. GREENHILL, PRESIDENT

I/we acknowledge (check one):

Department of Water Resources

☐ The attorney formerly representing me has withdrawn and I/we will be representing myself/ourselves.

☒ I/we are now represented by the attorney at the address below.

J. EVAN ROBERTSON & TIMOTHY J. STOVERROSHOLT, ROBERTSON & TUCKERP. O. BOX 1906TWIN FALLS ID 83303-1906Attorney's Phone 208/734-0700

The SRBA water right claim notice(s) affected by this change are listed below or on the attached sheet(s).

A81-10276

For Individuals:

Authorized signature(s) Date _____

For Organizations:

I am PRESIDENT of SELWAY INN, INC., and I

have signed the foregoing document in the space below as

PRESIDENT of SELWAY INN, INC.

Title

Organization

Signature of Authorized Agent [Signature]Title PRESIDENTDate 2-2-98Organization SELWAY INN, INC.

IDWR Use:

Date Received _____

Data Entry _____

Claimant Acknowledgement of Change in Attorney in Snake River Basin Adjudication (SRBA)

RECEIVED

OCT 27 1997

Name(s) of Claimant (please print):

Department of Water Resources

SELWAY INN, INC. c/o ROBERT G. GREENHILL, PRESIDENT, SELWAY INN, INC.

I/we acknowledge (check one):

RECEIVED

OCT 22 1997

☐ The attorney formerly representing me has withdrawn and I/we will be representing myself/ourselves.

Department of Water Resources

☒ I/we are now represented by the attorney at the address below.

J. EVAN ROBERTSON &
TIMOTHY J. STOVER

ROSHOLT, ROBERTSON & TUCKER
P. O. BOX 1906

TWIN FALLS ID 83303-1906

Attorney's Phone 208/734-0700

The SRBA water right claim notice(s) affected by this change are listed below or on the attached sheet(s).

A81-10276

For Individuals:

Authorized signature(s) Date

For Organizations:

I am PRESIDENT of SELWAY INN, INC., and I

Title

Organization

have signed the foregoing document in the space below as

PRESIDENT of SELWAY INN, INC.

Title

Organization

Signature of Authorized Agent *[Signature]*

Title PRESIDENT

Date

Organization SELWAY INN, INC.

IDWR Use:

Date Received 10/22/97

Data Entry 11-30-1998

no need No A.

395325

QUITCLAIM DEED

COMPUTER 1 1
INDEXED 1 1
TRACTED 1 1
FILMED 1 1
ASSESSOR 1 1
COMPLIMENTARY
RECORDING

FOR VALUE RECEIVED, SOCATEAN CORPORATION, INC., does hereby convey, release, remise and forever quitclaim unto SELWAY INN, INC., whose mailing address is c/o Robert F. Greenhill, President Selway Inn, Inc., P.O. Box 880, New York, New York 10101-0880, all of its right, title and interest in and to the following-described premises, to-wit:

See Exhibit "A" attached hereto and incorporated herein as if set forth in full.

SUBJECT TO THE FOLLOWING, TO WIT:

Taxes for the year 1996 are a lien, not yet due or payable.

Easement in Quitclaim Deed dated December 16, 1958, including the terms and conditions thereof, by and between SELWAY LODGE, INC., and Idaho Corporation, and RALPH GARRETT, recorded April 28, 1964, as Instrument No. 215257 of book 100 page 563, records of Idaho County, Idaho.

Right of way including terms and conditions thereof, by and between SELWAY WILDERNESS RANCH, INC., and the UNITED STATES OF AMERICA recorded April 13, 1966 in Book 104 Page 465, records of Idaho County, Idaho.

Right of way including terms and conditions thereof, by and between SELWAY LODGE INC., and the UNITED STATES OF AMERICA recorded April 13, 1966 in Book 104 Page 467, records of Idaho County, Idaho.

National Wild and Scenic Rivers System Wild River Area Easement dated November 12, 1976, including terms and conditions thereof, by and between EVERETT PEIRCE and FREDERICA PEIRCE, husband and wife, and the UNITED STATES OF AMERICA recorded November 19, 1976 as Instrument No. 265839, records of Idaho County, Idaho, Agreement To Correct Easement dated February 22, 1984, including terms and conditions thereof, by and between EVERETT PEIRCE and FREDERICA PEIRCE, husband and wife, and the UNITED STATES OF AMERICA recorded May 30, 1984 as Instrument No. 313138, records of Idaho County, Idaho.

National Wild and Scenic Rivers System Wild River Area Easement dated October 31, 1984, including terms and conditions thereof, by and between EVERETT L. PEIRCE and FREDERICA F. PEIRCE, husband and wife, and the UNITED STATES OF AMERICA, recorded November 6, 1984 as Instrument No. 316830, records of Idaho County, Idaho.

Subject to liens for any taxes deferred by virtue of the designation of the property, or any portion thereof, as Forest Lands as provided in Section 63-1701, et seq., Idaho Code.

81-10276

together with their appurtenances.

DATED this 4 day of September, 1997.

SOCATEAN CORPORATION, INC.

By *Robert F. Greenhill*
ROBERT F. GREENHILL
President

STATE OF New York)
County of New York) ss.

On the 5th day of September, 1997, before me, a Notary Public, in and for said County and State, personally appeared ROBERT F. GREENHILL, known or identified to me to be the individual whose name is subscribed to the within 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 in this certificate first above written.

81-10276

Peter C. Krause
NOTARY PUBLIC FOR New York
Residing at 1100 Park Ave., NY, NY 10028
My commission expires 1/4/99

08139799.tjs

QUITCLAIM DEED - 2

| | |
|---|----------|
| STATE of IDAHO | |
| County of Idaho | ss |
| Recorded at request of | |
| INLAND TITLE CO. | |
| at <u>0</u> minutes past <u>1</u> o'clock <u>P</u> M. | |
| this <u>11</u> day of <u>Sept</u> , 19 <u>97</u> | |
| ROSE E. GEHRING | |
| By <u><i>Edith L. Anderson</i></u> | Recorder |
| Fees \$ <u>900</u> | Deputy |

PETER C. KRAUSE
NOTARY PUBLIC, State of New York
No. 31-5006891
Qualified in New York County
Commission Expires 1/4/99

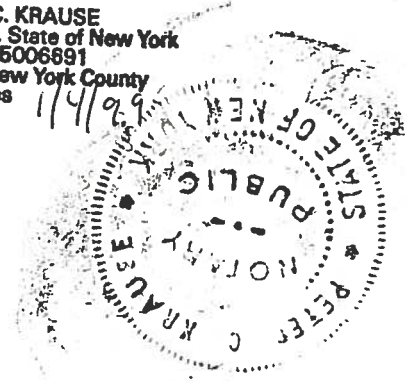


EXHIBIT "A"

A portion of Homestead Entry Survey No. 455 in unsurveyed Township 31 North, Range 13 East, Boise Meridian, Idaho County, Idaho, described as beginning at corner No. 4:

thence N.08°50'00"E., for 31.02 feet to corner No. 8;
thence S.29°07'00"E., for 729.88 feet to corner No. 9;
thence S.14°20'00"W., for 2,302.74 feet to corner No. 7;
thence N.35°32'00"W., for 712.14 feet to corner No. 8;
thence N.1°33'00"E., for 2,026.88 feet to corner No. 9;
thence N.60°02'40"E., for 604.73 feet to corner No. 4 the place of beginning.

EXCEPT Beginning at the confluence of Ditch Creek with Selway River, a distance of 200 feet more or less, along the west bank of the Selway River in a northeasterly direction to a point;

thence northwesterly a distance of 100 feet, more or less, to a point;
thence southwesterly a distance of 200 feet, more or less, to a point located on the north bank of Ditch Creek;
thence along the north bank of Ditch Creek in a southeasterly direction 100 feet, more or less, to the confluence of Ditch Creek with the Selway River and point of beginning.

ALSO EXCEPT beginning at corner No. 7 of Homestead Entry No. 455,

thence N.35°32'00"W., for 100 feet;
thence N.14°26'00"E., for 100 feet to corner No. 1;
thence N.35°32'00"W., for 100 feet to corner No. 2;
thence S.14°20'00"W., for 100 feet to corner No. 3;
thence S.30°32'00"E., for 100 feet to corner No. 4;
thence N.14°26'00"E., for 100 feet to corner No. 1.

81-10276

395326

QUITCLAIM DEED

| | | |
|----------|------|----------------------------|
| COMPUTER | \$ 8 | COMPLIMENTARY
RECORDING |
| INDEXED | \$ 8 | |
| TRACTED | \$ 8 | |
| FILMED | \$ 8 | |
| ASSESSED | \$ 8 | |

FOR VALUE RECEIVED, SOCATEAN CORPORATION, INC., does hereby convey, release, remise and forever quitclaim unto SELWAY INN, INC., whose mailing address is c/o Robert F. Greenhill, President Selway Inn, Inc., P.O. Box 880, New York, New York 10101-0880, all of its right, title and interest in and to the following-described premises, to-wit:

A portion of H.E. Survey No. 455, embracing a portion of, approximately Township 31 North, Range 13 East, B.M., containing approximately 42.039 acres described as: Beginning at corner No. 4, the TRUE POINT OF BEGINNING

thence N. 66°50'E., 47 links to corner No. 5
thence S. 29°07'E., 11.06 chains to corner No. 6
thence S. 14°26'W., 34.89 chains to corner No. 7
thence N. 35°32'W., 10.79 chains to corner No. 8
thence N. 1°33'E., 30.71 chains to corner No. 9
thence back to the TRUE POINT OF BEGINNING.

EXCEPT THE FOLLOWING:

Part of HES N. 455 described as: Beginning at the confluence of Ditch Creek with the Selway River, a distance of 200 feet, more or less, along the west bank of the Selway River in a northeasterly direction to a point

thence Northwesterly a distance of 100 feet, more or less, to a point
thence Southwesterly a distance of 200 feet, more or less, to a point located on the north bank of Ditch Creek
thence along the north bank of Ditch Creek in a southeasterly direction 100 feet, more or less, to the confluence of Ditch Creek with the Selway River and the point of beginning and right of way easement to and from the above described property.

Commencing at corner No. 1, of H.E.S. No. 455, run thence S.20°05'E., along the easterly boundary of H.E.S. No. 455 a distance of 125.0 feet to the point of beginning continuing

thence S.20°05'E., 75.0 feet
thence S.69°55'W., 150.0 feet
thence N.20°05'W., 75.0 feet
thence N.69°55'E., 150 feet to the point of beginning

81-10274

Beginning at corner No. 1 of H.E.S. No. 455, run thence
S.20°05'E., 100.0 feet

thence S.69°55'W., 150.0 feet
thence N.20°05'W, 185.5 feet to a point on the
Northerly boundary of H.E.S. No. 455
thence S.80°24'E., 172.65 feet to the point of
beginning.

Beginning at the confluence of Ditch Creek with the Selway
River

thence a distance of 200 feet, more or less, along
the west bank of the Selway River in a
Northeasterly direction to the point of beginning
thence a distance of 200 feet, more or less, along
the west bank of the Selway River in a
Northeasterly direction to a point
thence Northwesterly a distance of 100 feet, more
or less, to a point,
thence Southwesterly a distance of 200 feet, more
or less, to a point of beginning and right of way
easement to and from the above described
property.

SUBJECT TO easements of record.

together with their appurtenances.

DATED this 4 day of September, 1997.

SOCATEAN CORPORATION

By Robert F. Greenhill
ROBERT F. GREENHILL,
President

81-10276

QUITCLAIM DEED - 2

| | |
|------------------------|------------------------------|
| STATE of IDAHO | |
| County of Idaho | ss |
| Recorded at request of | |
| INLAND TITLE CO. | |
| at | minutes past 1 o'clock P. M. |
| this | 11 day of Sept. 19 97 |
| ROSE E. GEHRING | |
| By | Edith L. Anderson |
| | Recorder |
| | Deputy |
| Fees | \$ 9.00 |

STATE OF New York)
County of New York)ss.

On the 5th day of September, 1997, before me, a Notary Public, in and for said County and State, personally appeared ROBERT F. GREENHILL, known or identified to me to be the individual whose name is subscribed to the within 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 in this certificate first above written.

Peter C. Krause
NOTARY PUBLIC FOR New York
Residing at 1100 Park Ave., NY, NY 10028
My commission expires 1/4/99

08049702.tjs

PETER C. KRAUSE
NOTARY PUBLIC, State of New York
No. 31-5006691
Qualified in New York County
Commission Expires 1/4/99



81-10276

395327

QUITCLAIM DEED

COMPUTER ()
INDEXED ()
TRACTED () COMPLIMENTARY
FILMED () RECORDING
ASSESSOR ()

FOR VALUE RECEIVED, SOCATEAN CORPORATION, INC., does hereby convey, release, remise and forever quitclaim unto SELWAY INN, INC., whose mailing address is c/o Robert F. Greenhill, President Selway Inn, Inc., P.O. Box 880, New York, New York 10101-0880, all of its right, title and interest in and to the following-described premises, to-wit:

Any and all water rights used in connection with and appurtenant to the property described in Exhibit "A" located in the County of Idaho, State of Idaho, including, but not limited to, the water rights described in Idaho Department of Water Resources Permit No. 81-7020 and Snake River Basin Adjudication Claim No. 81-10276.

together with their appurtenances.

DATED this 4 day of September, 1997.

SOCATEAN CORPORATION, INC.

By Robert F. Greenhill
ROBERT F. GREENHILL,
President

81-10276

| | |
|---|----------|
| STATE of IDAHO | |
| County of Idaho | ss |
| Recorded at request of | |
| INLAND TITLE CO | |
| at <u>8</u> minutes past <u>1</u> o'clock <u>P</u> M, | |
| this <u>11</u> day of <u>Sept</u> , 19 <u>97</u> | |
| ROSE E. GEHRING | |
| By <u>Edith L. Anderson</u> | Recorder |
| Fees \$ <u>9.00</u> | Deputy |

STATE OF New York)
County of New York)ss.

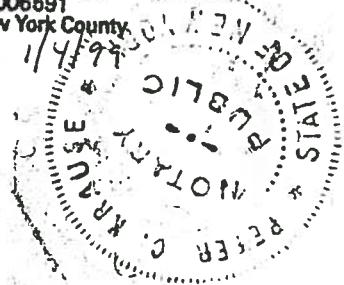
On the 5th day of September, 1997, before me, a Notary Public, in and for said County and State, personally appeared ROBERT F. GREENHILL, known or identified to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

Peter C. Krause
NOTARY PUBLIC FOR New York
Residing at 1100 Park Ave., NY, NY 10128
My commission expires 1/4/99

08089702.tjs

PETER C. KRAUSE
NOTARY PUBLIC, State of New York
No. 31-5006891
Qualified in New York County
Commission Expires 1/4/99



81-10276

EXHIBIT "A"

A portion of Homestead Entry Survey No. 435 in unsurveyed Township 31 North, Range 13 East, Boise Meridian, Idaho County, Idaho, described as beginning at corner No. 4:

thence N. 85° 50' 00" E., for 31.02 feet to corner No. 5;
thence S. 23° 07' 00" E., for 728.98 feet to corner No. 6;
thence S. 14° 20' 00" W., for 2,302.74 feet to corner No. 7;
thence N. 35° 32' 00" W., for 712.14 feet to corner No. 8;
thence N. 1° 33' 00" E., for 2,026.88 feet to corner No. 9;
thence N. 60° 02' 40" E., for 804.73 feet to corner No. 4 the place of beginning.

EXCEPT Beginning at the confluence of Ditch Creek with Selway River, a distance of 300 feet more or less, along the west bank of the Selway River in a northeasterly direction to a point;
thence northwesterly a distance of 100 feet, more or less, to a point;
thence southwesterly a distance of 200 feet, more or less, to a point located on the north bank of Ditch Creek;
thence along the north bank of Ditch Creek in a southeasterly direction 100 feet, more or less, to the confluence of Ditch Creek with the Selway River and point of beginning.

ALSO EXCEPT beginning at corner No. 7 of Homestead Entry No. 435,

thence N. 35° 32' 00" W., for 100 feet;
thence N. 14° 20' 00" E., for 100 feet to corner No. 1;
thence N. 35° 32' 00" W., for 100 feet to corner No. 2;
thence S. 14° 20' 00" W., for 100 feet to corner No. 3;
thence S. 35° 32' 00" E., for 100 feet to corner No. 4;
thence N. 14° 20' 00" E., for 100 feet to corner No. 1.

81-10276

388855

QUITCLAIM DEED

COMPUTER

FOR VALUE RECEIVED, THE PATRICIA G. MILLINGTON 1995 REVOCABLE TRUST dated January 5, 1995, by and through its Trustee, Patricia Gregson Millington, does hereby convey, release, remise and forever quitclaim unto SOCATEAN CORPORATION, INC., whose mailing address is c/o Robert F. Greenhill, President, Socatean Corporation, Inc., P.O. Box 880, New York, New York 10101-0880, all of its right, title and interest in and to the following-described premises, to-wit:

A portion of H.E. Survey No. 455, embracing a portion of, approximately Township 31 North, Range 13 East, B.M., containing approximately 42.039 acres described as: Beginning at corner No. 4, the TRUE POINT OF BEGINNING

thence N. 66°50'E., 47 links to corner No. 5
thence S. 29°07'E., 11.06 chains to corner No. 6
thence S. 14°26'W., 34.89 chains to corner No. 7
thence N. 35°32'W., 10.79 chains to corner No. 8
thence N. 1°33'E., 30.71 chains to corner No. 9
thence back to the TRUE POINT OF BEGINNING.

EXCEPT THE FOLLOWING:

Part of HES N. 455 described as: Beginning at the confluence of Ditch Creek with the Selway River, a distance of 200 feet, more or less, along the west bank of the Selway River in a northeasterly direction to a point

thence Northwesterly a distance of 100 feet, more or less, to a point
thence Southwesterly a distance of 200 feet, more or less, to a point located on the north bank of Ditch Creek
thence along the north bank of Ditch Creek in a southeasterly direction 100 feet, more or less, to the confluence of Ditch Creek with the Selway River and the point of beginning and right of way easement to and from the above described property.

Commencing at corner No. 1, of H.E.S. No. 455, run thence S.20°05'E., along the easterly boundary of H.E.S. No. 455 a distance of 125.0 feet to the point of beginning continuing

81-10276

thence S.20°05'E., 75.0 feet
thence S.69°55'W., 150.0 feet
thence N.20°05'W., 75.0 feet
thence N.69°55'E., 150 feet to the point of
beginning.

Beginning at corner No. 1 of H.E.S. No. 455, run thence
S.20°05'E., 100.0 feet

thence S.69°55'W., 150.0 feet
thence N.20°05'W., 185.5 feet to a point on the
Northerly boundary of H.E.S. No. 455
thence S.80°24'E., 172.65 feet to the point of
beginning.

Beginning at the confluence of Ditch Creek with the Selway
River

thence a distance of 200 feet, more or less, along
the west bank of the Selway River in a
Northeasterly direction to the point of beginning
thence a distance of 200 feet, more or less, along
the west bank of the Selway River in a
Northeasterly direction to a point
thence Northwesterly a distance of 100 feet, more
or less, to a point,
thence Southwesterly a distance of 200 feet, more
or less, to a point of beginning and right of way
easement to and from the above described
property.

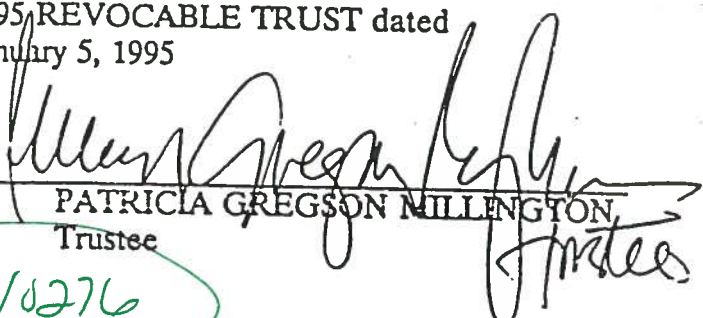
SUBJECT TO easements of record.

together with their appurtenances.

DATED this 6th day of September, 1996.

THE PATRICIA G. MILLINGTON
1995 REVOCABLE TRUST dated
January 5, 1995

By


PATRICIA GREGSON MILLINGTON
Trustee

81-10276

STATE OF IDAHO)
County of Idaho)ss.

On the 6th day of September, 1996, before me, a Notary Public, in and for said County and State, personally appeared PATRICIA GREGSON MILLINGTON, known or identified to me to be the TRUSTEE of THE PATRICIA G. MILLINGTON 1995 REVOCABLE TRUST dated January 5, 1995, the individual 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.

John A. Burke
NOTARY PUBLIC FOR IDAHO
Residing at Ketchum Idaho
My commission expires October 5 1997

81-10276

| | |
|------------------------|----------------|
| STATE of IDAHO | |
| County of Idaho ss | |
| Recorded at request of | |
| CAMAS TITLE | |
| at 55 | o'clock P.M. |
| this 6 | of Sept. 19 96 |
| ROSE E. GEHRING | |
| By Edith L. Anderson | Recorder |
| 900 | Deputy |

Front CAMAS TITLE & EDCROW 2000000007

To:

09/05/96 09:44 P. 063

388856

QUITCLAIM DEED

FOR VALUE RECEIVED, PATRICIA GREGSON MILLINGTON, or her successor, trustee
 OF THE PATRICIA GREGSON MILLINGTON 1995 REVOCABLE TRUST dated January 5, 1995,

do hereby convey, release, remise and forever quitclaim unto SOCATEAN CORPORATION, INC.,
 an Idaho Corporation, 433 Riversville Road, Greenwich, CT 06831

the following described premises, to-wit:

Any and all water rights used in connection with and appurtenant to the
 property described in Exhibit A located in the County of Idaho, State of
 Idaho, including, but not limited to, the water rights described in Idaho
 Department of Water Resources Permit No. 81-7020 and Snake River Basin
 Adjudication Claim No. 81-10276.

81-10276

together with their appurtenances.

Dated: Sept 6, 1996

Patricia Gregson Millington Trustee

STATE OF IDAHO, COUNTY OF
 On this 6th day of September, 1996
 before me, a Notary Public in and for said State, personally
 appeared *Patricia Gregson Millington*

Notary Public
 I, the person whose name is
 subscribed to the within instrument, and acknowledge to me
 that PUBLIC executed the same.

John A. Buile
 Notary Public

Residing at Ketchikan, Idaho

My commission expires October 5, 1997

STATE OF IDAHO, COUNTY OF IDAHO

I Herby Certify that this instrument was filed for record
 at the request of CAMAS TITLE ?
 at 55 minutes past 4:00 o'clock P.M.
 this 6 day of Sept 1996
 in my office, and duly recorded in Book of Deeds
 at Page

ROSE E. GEHRING

Notary Public

Edith L. Anderson
 Deputy

Fee \$6.00
 Mail to:

EXHIBIT "A"

A portion of Homestead Entry Survey No. 455 in unsurveyed Township 33 North, Range 10 East, Boise Meridian, Idaho County, Idaho, described as beginning at

corner No. 4;

thence N. 85° 50' 00" E., for 31.02 feet to corner No. 5;

thence S. 23° 07' 00" E., for 729.98 feet to corner No. 6;

thence S. 14° 20' 00" W., for 2,302.74 feet to corner No. 7;

thence N. 35° 32' 00" W., for 712.14 feet to corner No. 8;

thence N. 1° 33' 00" E., for 2,026.85 feet to corner No. 9;

thence N. 60° 02' 40" E., for 864.73 feet to corner No. 4 the place of beginning.

EXCEPT Beginning at the confluence of Ditch Creek with Selway River, a distance of 300 feet more or less, along the west bank of the Selway River in a northeasterly direction to a point;

thence northeasterly a distance of 100 feet, more or less, to a point;

thence southwesterly a distance of 200 feet, more or less, to a point

located on the north bank of Ditch Creek;

thence along the north bank of Ditch Creek in a southeasterly direction 100 feet, more or less, to the confluence of Ditch Creek with the Selway River and point of beginning.

ALSO EXCEPT beginning at corner No. 7 of Homestead Entry No. 455,

thence N. 35° 32' 00" W., for 100 feet;

thence N. 14° 20' 00" E., for 100 feet to corner No. 1;

thence N. 35° 32' 00" W., for 100 feet to corner No. 2;

thence S. 14° 20' 00" W., for 100 feet to corner No. 3;

thence S. 35° 32' 00" E., for 100 feet to corner No. 4;

thence N. 14° 20' 00" E., for 100 feet to corner No. 1.

81-10276

ATTORNEYS AT LAW

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DEE, MACGREGOR, FALES AND MACGREGOR

ATTORNEYS AT LAW

GRANGEVILLE, IDAHO 83530

OF AMERICA recorded April 13, 1966 in Book 104 Page 467, records of Idaho County, Idaho.

National Wild and Scenic Rivers System Wild River Area Easement dated November 12, 1976, including terms and conditions thereof, by and between EVERETT PEIRCE and FREDERICA PEIRCE, husband and wife, and the UNITED STATES OF AMERICA recorded November 19, 1976 as Instrument No. 265839, records of Idaho County, Idaho, Agreement To Correct Easement dated February 22, 1984, including terms and conditions thereof, by and between EVERETT PEIRCE and FREDERICA PEIRCE, husband and wife, and the UNITED STATES OF AMERICA recorded May 30, 1984 as Instrument No. 313138, records of Idaho County, Idaho.

National Wild and Scenic Rivers System Wild River Area Easement dated October 31, 1984, including terms and conditions thereof, by and between EVERETT L. PEIRCE and FREDERICA F. PEIRCE, husband and wife, and the UNITED STATES OF AMERICA, recorded November 6, 1984, as Instrument No. 316830, records of Idaho County, Idaho.

Subject to liens for any taxes deferred by virtue of the designation of the property, or any portion thereof, as Forest Lands as provided in Section 63-1701, et seq., Idaho Code.

Subject to all liens and encumbrances of record.

TOGETHER WITH ALL AND SINGULAR, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

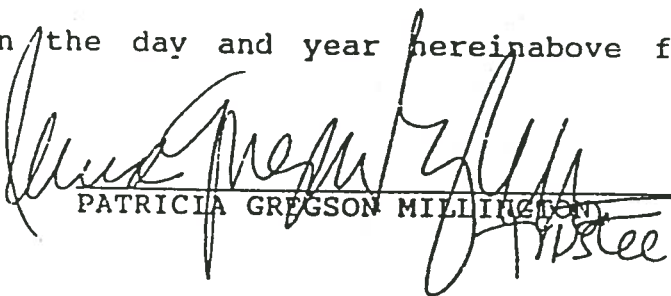
TO HAVE AND TO HOLD, all and singular, the above mentioned and described premises, together with the appurtenances, unto the said parties of the second part, and to their heirs, successors and assigns forever.

And, party of the first part and her heirs, successors and assigns, hereby covenants to and with said parties of the second part and their heirs, successors and assigns the party of the first part is lawfully seized in fee simple of the above granted premises free from all encumbrances and that the party of the first part will warrant and defend the above premises against all and every

81-10276

1 person and persons whomsoever lawfully claiming or to claim the
2 same.
3

4 IN WITNESS WHEREOF, the party of the first part has hereunto
5 set her hand and seal in the day and year hereinabove first
6 written.

7 
PATRICIA GREGSON MILLINGTON

8 STATE OF Idaho ss.
9 County of Idaho

10 On this 6th day of Sept., 1996, before me, the undersigned a Notary Public in
11 and for the State of Idaho personally appeared PATRICIA GREGSON MILLINGTON known
to me to be the person whose name is subscribed to the within and forgoing
instrument, and acknowledged to me that she executed the same.

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

14 

15 John A. Burke

Notary Public in and for the State of
Idaho; Residing at Ketchikan, there-
in.

My commission expires: October 5, 1997

16 MAIL DEED TO:

17 ROBERT F. GREENHILL
18 GAYLE G. GREENHILL

MAIL TAX NOTICES TO:

19 ROBERT F. GREENHILL
20 GAYLE G. GREENHILL

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| | |
|--|----------|
| STATE of IDAHO | |
| County of Idaho | ss |
| Recorded at request of | |
| CAMAS TITLE | |
| at <u>55</u> minutes past <u>4</u> o'clock <u>P</u> M. | |
| this <u>10</u> day of <u>Sept.</u> 19 <u>96</u> | |
| ROSE E. GEHRING | |
| By <u>Edith L. Anderson</u> | Recorder |
| Fees \$ <u>12.00</u> | Deputy |

81-10276

EXHIBIT "A"

A portion of Homestead Entry Survey No. 455 in unsurveyed Township 31 North, Range 13 East, Boise Meridian, Idaho County, Idaho, described as beginning at corner No. 4:

thence N.08°30'00"E., for 31.02 feet to corner No. 5;
thence S.29°07'00"E., for 729.96 feet to corner No. 6;
thence S.14°20'00"W., for 2,302.74 feet to corner No. 7;
thence N.35°32'00"W., for 712.14 feet to corner No. 8;
thence N.1°33'00"E., for 2,026.86 feet to corner No. 9;
thence N.60°02'40"E., for 604.73 feet to corner No. 4 the place of beginning.

EXCEPT Beginning at the confluence of Ditch Creek with Selway River, a distance of 200 feet more or less, along the west bank of the Selway River in a northeasterly direction to a point;
thence northwesterly a distance of 100 feet, more or less, to a point;
thence southwesterly a distance of 200 feet, more or less, to a point located on the north bank of Ditch Creek;
thence along the north bank of Ditch Creek in a southeasterly direction 100 feet, more or less, to the confluence of Ditch Creek with the Selway River and point of beginning.

ALSO EXCEPT beginning at corner No. 7 of Homestead Entry No. 455,
thence N.35°32'00"W., for 100 feet;
thence N.14°26'00"E., for 100 feet to corner No. 1;
thence N.35°32'00"W., for 100 feet to corner No. 2;
thence S.14°20'00"W., for 100 feet to corner No. 3;
thence S.35°32'00"E., for 100 feet to corner No. 4;
thence N.14°26'00"E., for 100 feet to corner No. 1.

81-10276

State of Idaho

Department of State

CERTIFICATE OF INCORPORATION

OF

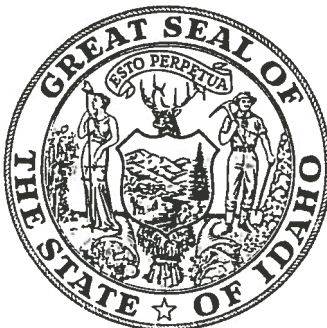
SOCATEAN CORPORATION, INC.

File number C 116093

I, PETE T. CENARRUSA, Secretary of State of the State of Idaho, hereby certify that duplicate originals of Articles of Incorporation for the incorporation of the above named corporation, duly signed pursuant to the provisions of the Idaho Business Corporation Act, have been received in this office and are found to conform to law.

ACCORDINGLY and by virtue of the authority vested in me by law, I issue this Certificate of Incorporation and attach hereto a duplicate original of the Articles of Incorporation.

Dated: August 14, 1996



Pete T. Cenarrusa
SECRETARY OF STATE

By *Shannon Breier*

A81-10276

ARTICLES OF INCORPORATION Aug 14 4 44 PM '96

OF

SECRETARY OF STATE
STATE OF IDAHO

SOCATEAN CORPORATION, INC.

THE UNDERSIGNED, a natural person over the age of eighteen (18) years, does hereby form a corporation under the laws of the State of Idaho, as contained in Chapter 1 of Title 30, Idaho Code, entitled "Idaho Business Corporation Act," and to that end does hereby certify:

ARTICLE I

Name

The name of said corporation shall be Socatean Corporation, Inc.

ARTICLE II

Purposes and Powers

A. To invest funds in real property, personal property, mortgages, stocks, bonds and other types of investments; to own or lease real or personal property, and to give security in connection therewith; and to enter into contracts and agreements of all types, including, without limitation, franchise and licensing agreements.

B. To engage in such other business activities as may be authorized or permitted by the Idaho Business Corporation Act (Chapter 1 of Title 30, Idaho Code).

ARTICLE III

Duration

The duration of the corporation shall be perpetual.

ARTICLE IV

Registered Office

The registered office of said corporation in the State of Idaho shall be located at 142 Third Avenue North, Twin Falls, Idaho 83301, in the County of Twin Falls, Idaho. J. Evan Robertson shall be the registered agent at the address set forth above.

3

CK #: 24848 CUST# 1575

CORP

1@ 100.00= 100.00

EXPEDITE C 1@ 20.00= 20.00

#: C

ARTICLES OF INCORPORATION - 1

A81-10276

ARTICLE V

Corporate Stock

The corporation shall have the authority to issue one hundred (100) shares of common stock, all of one class and all without par value, and the following is the name and post office address of the subscriber:

Name of Subscriber

Robert Greenhill

Post Office Address

P.O. Box 880
New York, New York 10101-0880

ARTICLE VI

Incorporators

The name and address of the incorporator is as follows:

Name of Incorporator

Timothy J. Stover

Address

142 Third Avenue North
P.O. Box 1906
Twin Falls, Idaho 83303-1906

ARTICLE VII

Management

The business of the corporation shall be managed by a board of two (2) directors, unless and until the corporation has more than two (2) shareholders, in which case the board of directors shall consist of the same number of directors as there are shareholders, not to exceed three (3) directors in total. Each director shall hold office for the term for which he or she was elected or until his or her successor is elected and qualified.

The initial member of the board of directors of the corporation shall be Robert Greenhill, who shall serve until the first annual meeting of the shareholders or until her successor has been duly elected and qualified. ?

ARTICLE VIII

Annual Meeting of Shareholders

The annual meeting of the shareholders of the corporation shall be held on the second Monday in March of each year, commencing in 1997, or at such other time as the board of directors may subsequently set. Notice of the annual meeting and any special meetings of the shareholders shall be given by the board of directors at least seven (7) days prior to the date thereof, which notice shall set forth the time and location of said meetings.

ARTICLE IX

Bylaws

The regulation of the internal affairs of the corporation shall be further detailed and provided for in the Bylaws of the corporation. The power to adopt, repeal and amend said Bylaws shall be in the shareholders.

A81-10276

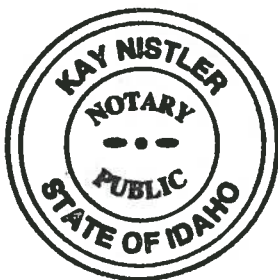
IN WITNESS WHEREOF I have set my hand this 9 day of August, 1996.

"INCORPORATOR"

Timothy J. Stover
TIMOTHY J. STOVER

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

I, Kay Nistler, a Notary Public, do hereby certify that on this 9th day of August, 1996, personally appeared before me TIMOTHY J. STOVER, who, being by me first duly sworn, declared that he is one of the Incorporators of SOCATEAN CORPORATION, INC., that he signed the foregoing document as one of the Incorporators of the corporation, and that the statements therein contained are true.



Kay Nistler
NOTARY PUBLIC FOR IDAHO
Residing at Jerome
Commission expires 11-24-2001

08099605.tjs

A81-10276

State of Idaho

Department of State

CERTIFICATE OF AMENDMENT

OF

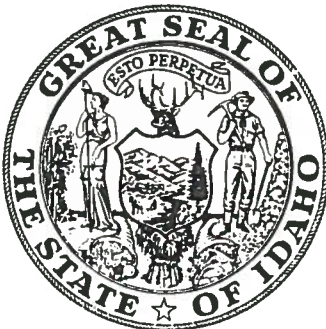
SOCATEAN CORPORATION, INC.

File Number C 116093

I, PETE T. CENARRUSA, Secretary of State of the State of Idaho, hereby certify that duplicate originals of Articles of Amendment to the Articles of Incorporation of SOCATEAN CORPORATION, INC., changing the corporate name to SELWAY INN, INC., duly executed pursuant to the provisions of the Idaho Business Corporation Act, have been received in this office and are found to conform to law.

ACCORDINGLY and by virtue of the authority vested in me by law, I issue this Certificate of Amendment to the Articles of Incorporation and attach hereto a duplicate original of the Articles of Amendment.

Dated: November 20, 1996



A81-10276

Pete T. Cenarrusa
SECRETARY OF STATE

By

Andy Clark

ARTICLES OF AMENDMENT
OF
SOCATEAN CORPORATION, INC.

Nov 20 8 51 AM '96
SECRETARY OF STATE
STATE OF IDAHO

THE UNDERSIGNED, acting as all of the shareholders and the Board of Directors for Socatean Corporation, Inc., adopt the following Articles of Amendment for said corporation:

1. The name of the corporation is Socatean Corporation, Inc.
2. Article I of the Articles of Incorporation for Socatean Corporation, Inc., shall be amended to read as follows:

"The name of said corporation shall be Selway Inn, Inc."

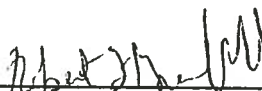
The above amendment to the Articles of Incorporation for Socatean Corporation, Inc., was adopted by the shareholders on October 10th, 1996.

There are one hundred (100) shares outstanding and entitled to vote on said amendment. Of said 100 shares, 100 voted for said amendment, and 0 voted against said amendment.

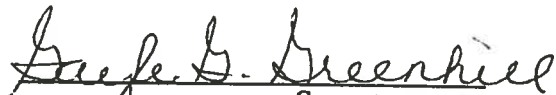
Said amendment does not provide for an exchange, reclassification or cancellation of issued shares of stock in Socatean Corporation, Inc.

Said amendment does not effect a change in the amount of stated capital for Socatean Corporation, Inc.

ADOPTED BY THE BOARD OF DIRECTORS OF SOCATEAN CORPORATION, INC., this 10th day of October, 1996.


Robert F. Greenhill, President

ATTEST:


Cayle G. Greenhill, Secretary

A81-10276

09239601.tjs

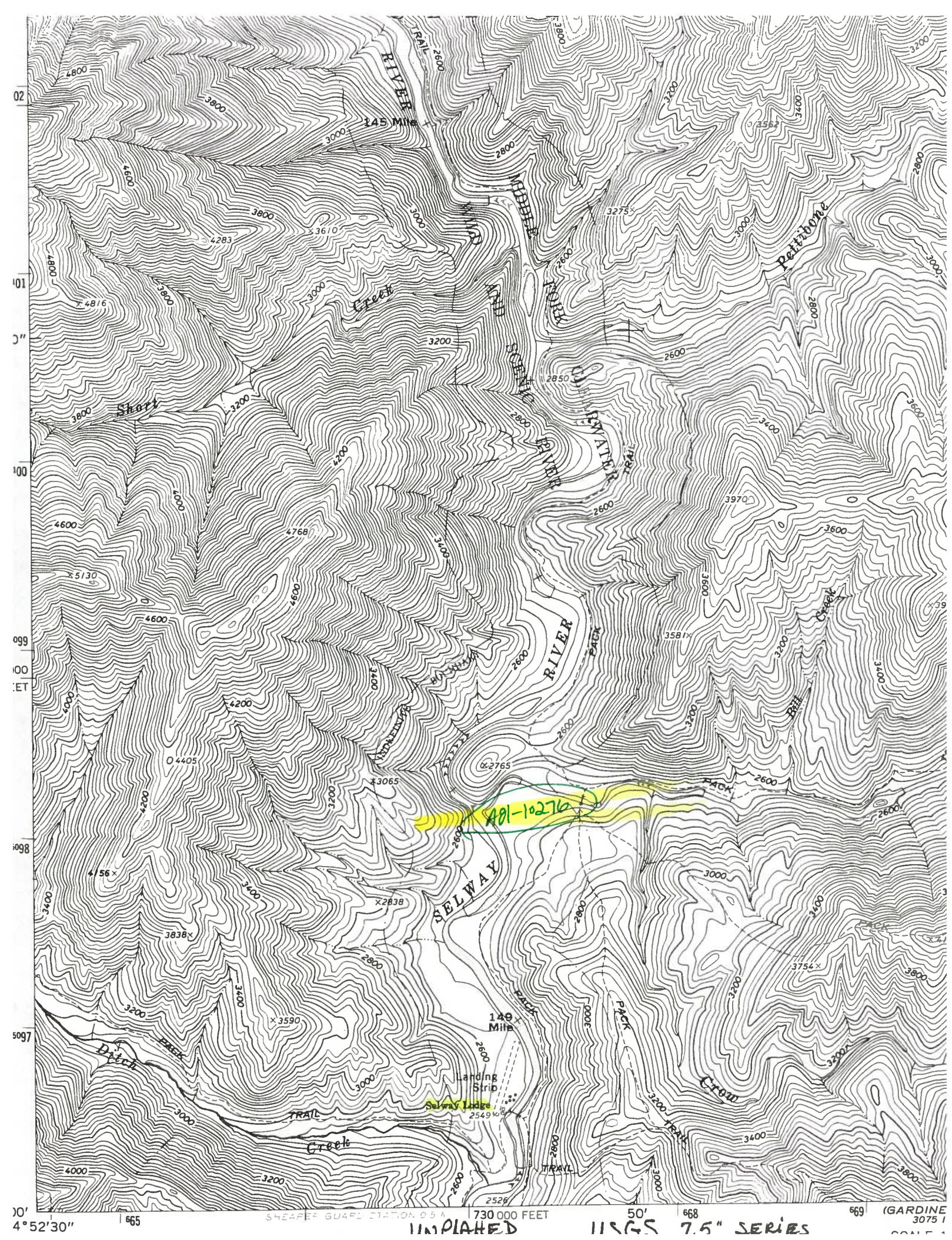
2

IDAHO SECRETARY OF STATE
DATE 11/20/1996 0900 40670

CK #: 25177 CUST# 1575

AMEND PROF

1@ 30.00= 30.00

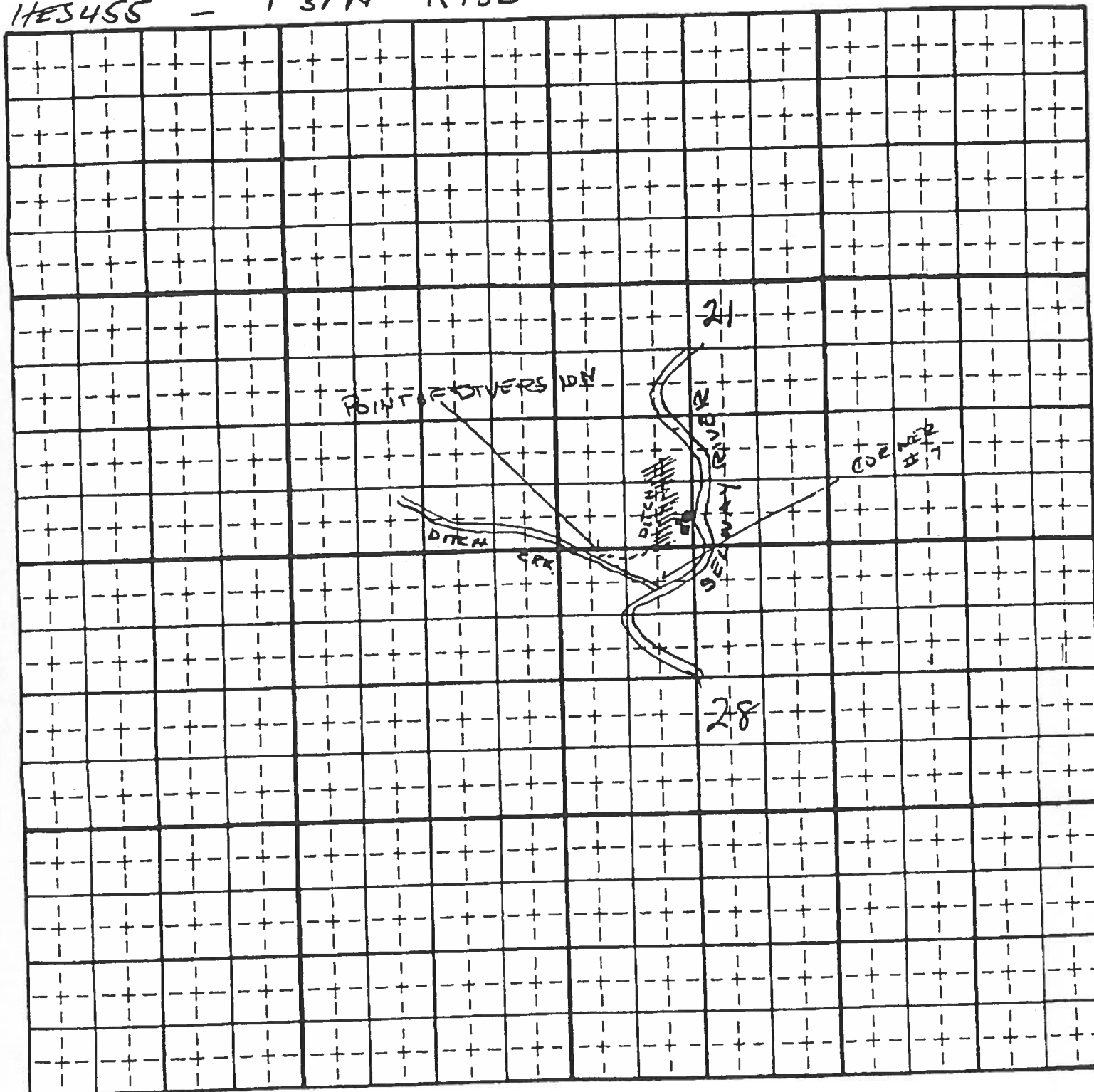


Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 Inches equals 1 mile

EVERETT PEIRCE dba SELWAY LODGE

14ES455 - T31N R13E



AUG 23 1993

Last Name _____

Ident No.

A81-10276

Copies: White-State, Yellow-Claimant



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 2, 1998

SELWAY INN INC
C/O ROBERT GREENHILL PRESIDENT
PO BOX 880
NEW YORK NY 10101-0880

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim #A81-10276

Dear Claimant:

Notice of the change in ownership of the water right claim referenced above has been received. Our records have been changed accordingly.

Enclosed is a computer-generated copy of the claim for Selway Inn, Inc. Please refer to this record number in any future inquiries or correspondence.

If your mail delivery address changes in any form, please contact us in writing so we can update our records to assure you receive important notices concerning your water right claim.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosures:

Copy of Notice of Claim Referenced Above
"How You Will Receive Notice...."

ROSHOLT, ROBERTSON & TUCKER
ATTORNEYS AT LAW

142 THIRD AVENUE NORTH
P.O. BOX 1906
TWIN FALLS, ID 83303-1906
(208) 734-0700
FAX (208) 736-0041

MEMORANDUM

RECEIVED

JAN 26 1998

Department of Water Resources

TO: Sally Sherman
FROM: Crystal Vincent
DATE: January 22, 1998
RE: Notice of Change of Water Right Ownership
Claim #A81-10276; Selway Inn, Inc.

Pursuant to our conversation today regarding your letter of January 13, 1998 to Selway Inn, Inc. c/o Robert G. Greenhill, I have attached a copy of a USGS map of the area which identifies "Selway Lodge", along with the hand drawn map which was included in the filing of A81-10276. You can see that though the USGS map isn't platted, it is easy to compare the area to the one by Mr. Peirce. Neither the county assessor's office in Grangeville, ID, nor the FSA office had any plats or maps of this area.

I have also enclosed copies of the Certificate of Incorporation and Certificate of Amendment of SOCATEAN CORPORATION, INC.

I trust this information will enable you to complete the transfer of ownership. If you need anything further, please do not hesitate to call me.

cc: Carolyn Thorson
Office of Robert F. Greenhill

01-30-98 Asked Crystal for NOA.

*Thanks,
Crystal*



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

**PHILIP E. BATT
GOVERNOR**

January 13, 1998

**KARL J. DREHER
DIRECTOR**

SELWAY INN INC
C/O ROBERT G GREENHILL
PO BOX 880
NEW YORK NY 10101-0880

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim #A81-10276

Dear Mr. Greenhill:

I am returning Notice of Change of Water Right Ownership Form 42-248/42-1409(6) for completion. I will retain the five Quit Claim Deeds, one Warranty Deed and Form 42-1409(a) you enclosed with the incomplete form.

Please complete Item 2C. on the ownership change form. Item 7 in the Instructions on the reverse of the form must also be satisfied.

Additionally, the Claimant Acknowledgement of Change in Attorney in Snake River Basin Adjudication (SRBA) form you signed does not take the place of a Notice of Appearance needed for the Court. Although J. Evan Robertson is the Registered Agent for Selway Inn, Inc., we cannot add him or Timothy J. Stover to this claim without a Notice of Appearance.

Please return the completed ownership change form with supporting maps and documents to my attention. If you have any questions, I may be contacted toll-free at 1/800-451-4129.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosures:

Incomplete Form 42-248/42-1409(6)