

12/20/2006

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

RIGHT NUMBER: 75-14076

NAME AND ADDRESS: JERRY MYERS
194 INDIAN CREEK RD
NORTH FORK ID 83466

TERRY MYERS
194 INDIAN CREEK RD
NORTH FORK ID 83466

SOURCE: CARMEN CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.213 CFS

PRIORITY DATE: 05/01/1875

POINT OF DIVERSION:

T22N R22E S9 SWNWSW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.213 CFS
STOCKWATER	04/01 10/31	0.020 CFS

PLACE OF USE:

IRRIGATION in LEMHI County

T22N R22E S08	NESW	15.00	T22N R22E S08	NWSW	18.00
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STOCKWATER in LEMHI County

T22N R22E S08	NESW	T22N R22E S08	NWSW
---------------	------	---------------	------

33 ACRES TOTAL

Right Nos. 75-14076 and 75-14082 are limited to the irrigation of a combined total of 33 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

SPLIT
14451
14452

11/16/2006

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

RIGHT NUMBER: 75-14076

NAME AND ADDRESS: JERRY MYERS
194 INDIAN CREEK RD
NORTH FORK ID 83466

TERRY MYERS
194 INDIAN CREEK RD
NORTH FORK ID 83466

SOURCE: CARMEN CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.158 CFS

PRIORITY DATE: 05/01/1875

POINT OF DIVERSION:

T22N R22E S9 SWNWSW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.158 CFS
STOCKWATER	04/01 10/31	0.020 CFS

PLACE OF USE:

IRRIGATION in LEMHI County

T22N R22E S08 NESW 15.00 T22N R22E S08 NWSW 18.00

STOCKWATER in LEMHI County

T22N R22E S08 NESW T22N R22E S08 NWSW

33 ACRES TOTAL

Right Nos. 75-14076 and 75-14082 are limited to the irrigation of a combined total of 33 acres in a single irrigation season.

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

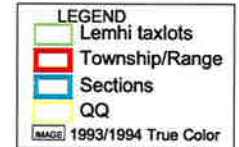
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EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

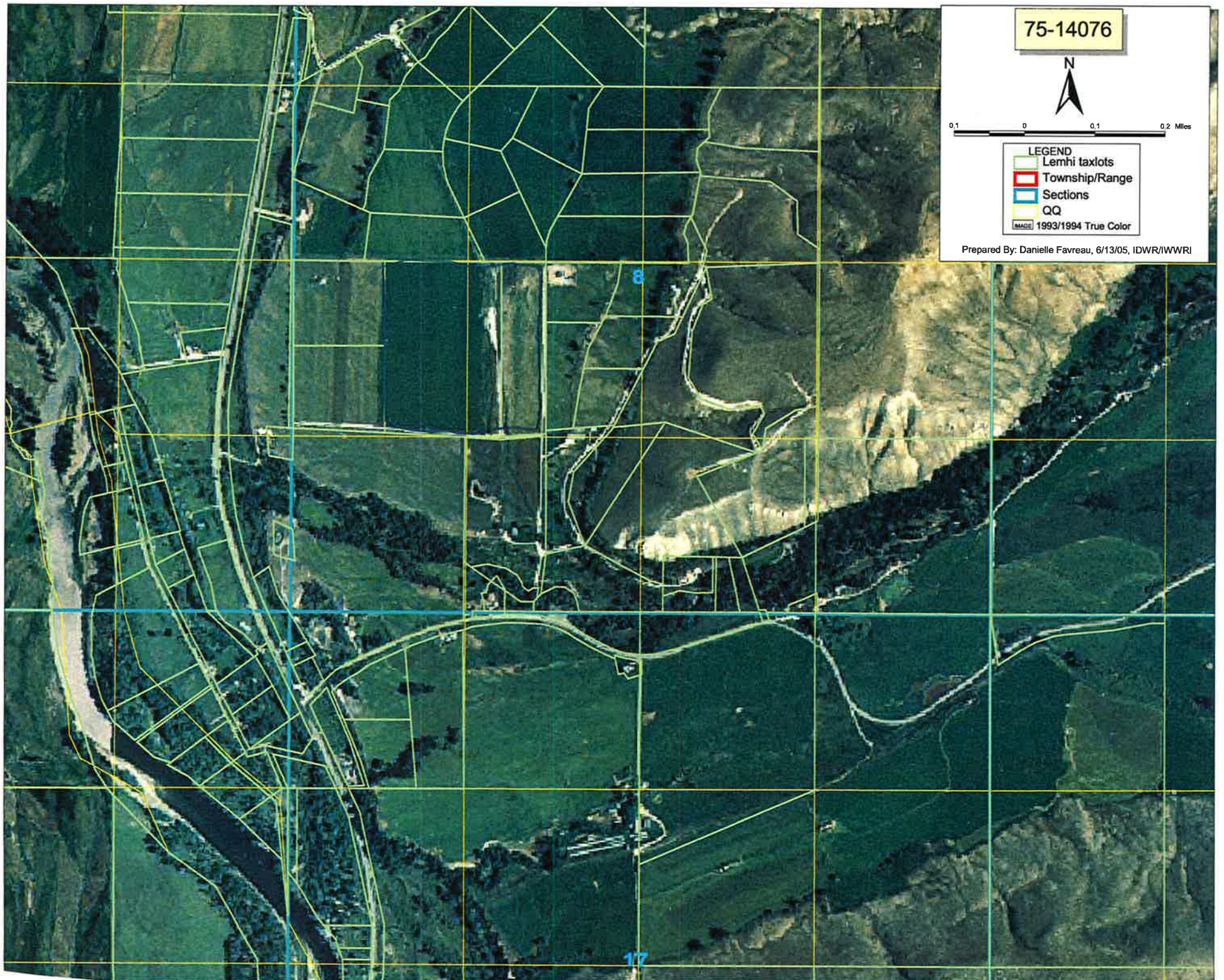
75-14076



0.1 0 0.1 0.2 Miles



Prepared By: Danielle Favreau, 6/13/05, IDWR/IWWRI



11/20/2006

**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: 12/13/2006

Water right number: 75-14076

JERRY MYERS
194 INDIAN CREEK RD
NORTH FORK ID 83466
Telephone Number: (208)394-2126

TERRY MYERS
194 INDIAN CREEK RD
NORTH FORK ID 83466
Telephone Number: (208)394-2126

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

WE DISAGREE WITH THE QUANTITY IN THE PRELIMINARY
RECOMMENDATION.

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

WE would like this water right - when combined with
75-14082 to total A minimum of 0.02 cfs per acre.

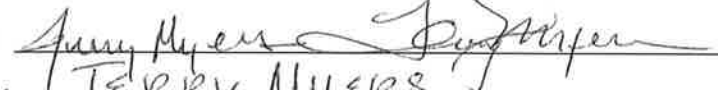
3. Give a brief explanation as to why you disagree with these portions:

This water right has been decreed in a prior adjudication AND
HAS BEEN USED + DELIVERED for over 100 years.

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

DATE: 11/12/06

SIGNATURE:


TERRY MYERS

Please print your name:

IDWR Regional Office, 7600 Mineral Drive, Suite 100, Coeur D' Alene, ID 83815, 2087622800

Please see attached letter.

SCANNED
DEC 15 2006

Idaho Department of Water Resources
PO Box 83720
Boise, Idaho 83720-0098

RECEIVED

DEC 15 2006

Department of Water Resources
Adjudication Bureau

RECEIVED

DEC 22 2006

IDWR/North

Dear Mr. Tuthill,

December 12, 2006

We are submitting this letter in addition to the Notice of Error Reply to provide additional justification as to why we disagree with the preliminary recommendation for water rights #75-14076 and #75-14082.

These two water rights are splits from parent rights #75-10750 and #75-10751. These rights are decreed rights and date back to the original adjudication on Carmen Creek that occurred in the early 1900's.

At our meeting with Idaho Department of Water Resources (IDWR) in Salmon last week we were told that our decreed rights were reduced from 0.04 cfs per acre to 0.007 cfs per acre in the recommendation because the area of the original decree had "spread". So IDWR recommended the same small amount of cfs to each acre, though not consistently, despite the different quantity of water a right might have had in the decree. It is well known in our water district that some properties had better decreed rights than others. Those with less decreed water had later filed Beneficial Use Claims for Carmen Creek water or have additional water rights from the Salmon River to supplement their irrigation later in the season.

Our particular rights, that were a split from 75-10750 and 75-10751, were some of the best rights in the decree because our property is part of one of the oldest ranch in the area. Because of our good water rights (0.04 cfs/acre in the decree) no additional water rights, such as Beneficial Use Claims, were ever submitted for our property. Why apply for more water with a later date when you have plenty of water with a Priority Date of 1875 and 1882? Now we are being penalized and are getting less water in the recommendation than most adjacent properties because of not filing subsequent Beneficial Use Claims.

The adjacent subdivision, Antelope Hills North that irrigates out of the same ditch does have Beneficial Use Claims because their decreed rights (total 0.09 cfs and 0.008 cfs/acre) were insufficient to meet their irrigation needs (see attached spreadsheet for details on their rights). Yet despite having less decreed rights they are getting the same recommendation for their decreed rights plus their Beneficial Use Claim.

A review of other users from the same ditch and with the same priority dates in the decree shows that some users got a larger portion of the decree in the recommendation (see water rights for Derrold Slavin in the spreadsheet). Even if you only look at his 1875 and 1882 decreed rights, that have the same priority date as our decreed rights, he is getting a recommendation for 0.532 cfs or 0.017 cfs/acre, a quantity twice our recommendation. In addition he is getting water from a 1896 decree and a 1915 Beneficial Use Claim for a total of 0.03 per acre, a quantity that is four times our recommended quantity.

When talking to IDWR at the meeting they seemed unaware that these decreed water rights have been used, administered and delivered in these quantities for probably close to 100 years. The Carmen Creek water master has been setting the ditch diversion rates based on these decreed

SCANNED

DEC 15 2006

rights. There have been no water wars since the original adjudication and everyone is irrigating based on these rights. Local adjustments are made as needed to make sure everyone gets their decreed rights. Now IDWR is trying to start a water war by recommending reductions in the decreed rights.

If as IDWR says there has been an expansion of these decreed rights why has IDWR not informed any of the owners in the past. As these water rights have changed hands when the properties have sold people have applied for a change in ownership and have received new water right numbers from IDWR showing that they have decreed water rights. If the decreed rights had spread IDWR should been able to tell based on the legal description of the place of use that the property was not part of the original decree. Properties have been purchased based on the knowledge that this particular parcel has good decreed water rights. If the decreed rights have "spread" this water has been used, administered and delivered in these quantities since the original decree so in fact if these water rights are not "decreed" then they are least "beneficial use" claims dating back to the Priority Dates of 1875 and 1882.

Please consider this information and reevaluate the preliminary recommendation that we believe is unfair and illegal according to Idaho water law. We do not want to engage in a water war.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jerry and Terry Myers", written in dark ink.

Jerry and Terry Myers
194 Indian Creek
North Fork, ID 83466

SCANNED

DEC 15 2006

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). A75 14076 A75 14082

1. ☐ No Change NAME IS SAME
☒ NEW OWNER: Jerry and Terry Myers 208-394-2126
☐ No Change ADDRESS
☒ NEW ADDRESS: 194 Indian Creek Road Northfork, Id 83466
2. ☐ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____
(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE
☐ Source is different than that claimed:

Source found: _____

4. ☐ No Change — POINT OF DIVERSION GPS 786 - 5-28-05 A0011559
☐ Point of diversion is different than the claim and/or new P/D's:
GPS Site Tag No.: _____

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete description, list below:

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☐ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) ☐ See additional attachment

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: _____

FIELD EXAMINER: _____

Print Name

Jack F. Ellis

Signature

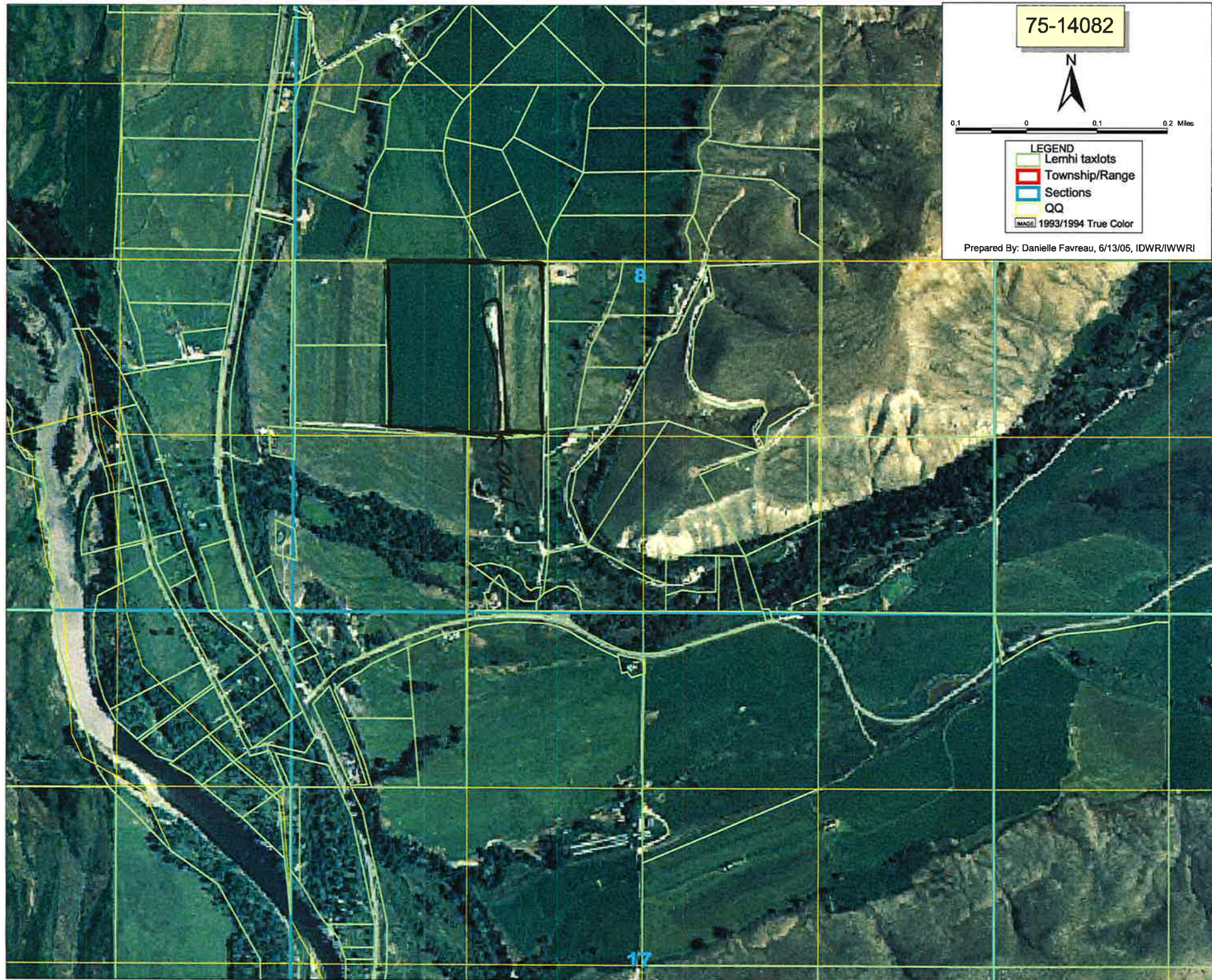
75-14082



0.1 0 0.1 0.2 Miles

- LEGEND
- Lemhi taxlots
 - Township/Range
 - Sections
 - QQ
- MADE 1993/1994 True Color

Prepared By: Danielle Favreau, 6/13/05, IDWR/IWWRI



11/20/2006

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DEC 15 2006

IDWR/North

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DATE: 11/12/06

SIGNATURE:

Terry Myers
Please print your name: TERRY MYERS

IDWR Regional Office, 7600 Mineral Drive, Suite 100, Coeur D' Alene, ID 83815, 2087622800

Please see attached letter.

SCANNED ✓

DEC 15 2006

Idaho Department of Water Resources
PO Box 83720
Boise, Idaho 83720-0098

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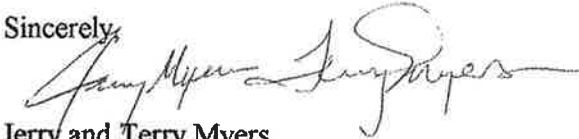
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Sincerely,

A handwritten signature in cursive script, appearing to read "Jerry and Terry Myers", written in dark ink.

Jerry and Terry Myers
194 Indian Creek
North Fork, ID 83466

CLAIMS

75-14076 $\left\{ \begin{array}{l} \text{Meyers 75-14451} \quad 26.3 \text{ Ac.} \quad 0.52 \text{ cfs} \\ \text{Meacham 75-14452} \quad 10 \text{ Ac} \quad 0.20 \text{ cf} \end{array} \right.$

75-14082 $\left\{ \begin{array}{l} \text{Meyers 75-14453} \quad 26.3 \text{ ac} \quad 0.52 \text{ cfs} \\ \text{Meacham 75-14454} \quad 10 \text{ Ac} \quad 0.20 \text{ cfs} \end{array} \right.$

Recommendations

75-14076 $\left\{ \begin{array}{l} \text{Meyers 75-14451} \quad 24.4 \text{ ac} \quad 0.157 \text{ cfs} \\ \text{Meacham 75-14452} \quad 8.6 \text{ ac} \quad 0.056 \text{ cfs} \end{array} \right.$
 $.213 / 33 \text{ ac} = .006455$
 $\underline{.213}$

75-14082 $\left\{ \begin{array}{l} \text{Meyers 75-14453} \quad 24.4 \text{ ac} \quad 0.087 \\ \text{Meacham 75-14454} \quad 8.6 \text{ ac} \quad 0.031 \end{array} \right.$
 $.118 / 33 \text{ ac} = .003576$
 $\underline{.118}$



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 24, 2005

JERRY AND TERRY MYERS
194 INDIAN CREEK RD
NORTH FORK ID 83466

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim to a Water Right #75-14076 and 75-14082

Dear Claimants:

We have processed your change in ownership of the Notices of Claim referenced above. Thank you for your patience.

Enclosed are copies of your Notices of Claim for your file. Please refer to these record numbers 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 claims.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosures:

Copies of Notices of Claim Referenced Above

SCANNED

MAY 24 2005

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

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

RECEIVED

NOV 18 2004

Department of Water Resources

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 Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	75-14076				
	75-14082				

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) MICHAEL R. AND FRANCES TUPPER

Solomon ID 63467

4. New Owner/Claimant(s) JERRY AND TERRY MYERS

Name Connector (Check one): [] and, [] or, ☒ and/or

New Mailing Address

194 Indian Cr. Rd.

City, State and ZIP Code

NORTH Fork ID 83466

New Telephone Number

208) 394-2126

5. Date you acquired the property

29 Oct 2004

SCANNED

MAY 24 2005

*O.K. to process
5/18/05 RBrown*

SCANNED

NOV 18 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 (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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

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

Jimmy Myers

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

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by m AJ Date 5-24-05 WR _____ Date _____

SCANNED

MAY 24 2005

SCANNED

NOV 18 2004

WARRANTY DEED

For Value Received MICHAEL R. TUPPER AND FRANCES TUPPER,
husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto JERRY MYERS & TERRY MYERS, HUSBAND & WIFE a 50% interest; RONALD TROY & YVETTE JOY TROY, husband and wife, a 30% interest; and JERRY MICHAEL TROY & TERESSA TROY, husband & wife, a 20% interest, the grantee, the following described premises, in Lemhi County Idaho, to wit:

Lot 1 B Amended Antelope Hills Subdivision Plat, as per official plat recorded in Book 8 of Plats at Page 13, under Instrument No. 260684 records of Lemhi County, Id

The above conveyance is made free and clear of all other encumbrances except: Rights of way and easements, reservation in Federal patents and state deeds, or other restrictions imposed by law, building and use restrictions of records, building and zoning regulations and ordinances of any governmental unit whether of sight or of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they the owners in fee simple of said premises; that they are free from all incumbrances

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

Dated: November 2 2004

Michael R. Tupper Frances Tupper
MICHAEL R. TUPPER FRANCES TUPPER

STATE OF IDAHO, COUNTY OF Lemhi--SS
On this 29th day of October 19 2004
before me, a notary public in and for said State, personally appeared
MICHAEL R. TUPPER AND FRANCES TUPPER

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

For All
Notary Public
Salmon, Idaho
2/19/2009

STATE OF IDAHO, COUNTY OF LEMHI
I hereby certify that this instrument was filed for record at the request of Bill Allen Edson
at 18 minutes past 8 o'clock a.m.,
this 8 day of November
2004, in my office, and duly recorded in Book
of Deeds at page
Jim Morton
Ex-Officio Recorder
By Kinda Cator
Fees \$ 300
Mail to: BAE

INSTRUMENT NO. 260805

LEMHI TITLE & ABSTRACT -- SALMON, IDAHO

SCANNED

NOV 18 2004

WARRANTY DEED

For Value Received MICHAEL R. TUPPER AND FRANCES
TUPPER, husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto
JERRY MYERS AND TERRY MYERS, husband and wife,
194 Indian Creek Rd, North Fork, Id 83466

the grantees, the following described premises, in Lemhi County Idaho, to wit:

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plat recorded Book 8 of Plats at Page 13 under Instrument NO.
260684 records of Lemhi County, ID.

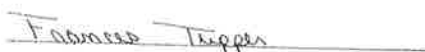
The above conveyance is made free and clear of all other encumbrances
except: Rights of way and easements, reservation in Federal
patents and state deeds, or other restrictions imposed by law,
building and use restrictions of records, building and zoning
regulations and ordinances of any governmental unit whether of
sight or of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s
their heirs and assigns forever. And the said Grantors do hereby covenant to
and with the said Grantees, that they are the owners in fee simple of said premises; that they
are free from all incumbrances

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

Dated: November 2 2004


MICHAEL R. TUPPER


FRANCES TUPPER

STATE OF IDAHO, COUNTY OF Lemhi--SS
On this 29th day of Oct, 2004
before me, a notary public in and for said State, personally
appeared

MICHAEL R. TUPPER AND
FRANCES TUPPER
known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged
to me that they executed the same.

Notary Public
Residing in Salmon, Idaho
Comm. Expires 2/19/2009

STATE OF IDAHO, COUNTY OF
I hereby certify that this instrument was filed for re-
cord at the request of Lemhi Title
at 5 minutes past 8 o'clock A.M.,
this 2nd day of November 2004
19, in my office, and duly recorded in Book
of Deeds at page
Ex-Officio Recorder
By Karen Brunner Deputy.
Fees \$3. -
Mail to: NOV 18 2004

INSTRUMENT NO. 260744

DEED

FOR VALUE RECEIVED, LAZY TY LIVESTOCK, INC.

a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto JIMMY D. OWENS and FAYE McDONALD, Joint Tenants, grantee, the following described real estate, to-wit:

A Parcel of land located in the SW $\frac{1}{4}$, Section 8, T. 22 N. R. 22 E., B.M., Lemhi County, Idaho more particularly described as follows:

Commencing at the West Quarter Corner of said Section 8, a distance of 21.47 feet on a bearing of S. 59° 58' 09" E. to the northwest corner of Lot 1, Antelope Hills Subdivision, thence S. 89° 26' 45" E. 532.71 feet along the north boundary of said Lot 1; thence S. 89° 41' 24" E. 1030.24 feet to the REAL POINT OF BEGINNING.

Thence S. 89° 41' 24" E. 335.51 feet along the north boundary of said Lot 1;

Thence S. 00° 06' 13" E. 1284.21 feet along the east boundary of Lot 1;

Thence S. 85° 29' 33" W. 336.50 feet;

Thence N. 00° 06' 13" W. 1312.47 feet to the REAL POINT OF BEGINNING, said parcel contains 10.00 Acres.

SUBJECT TO: A fifty (50) foot wide access easement, being 50 feet north of the south boundary line, and across the south end of the above described parcel.

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantee their 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

M.J. Wiley
M.J. WILEY, PRESIDENT.

ATTEST:

Clair Wiley
CLAIR WILEY, SECRETARY.

STATE OF IDAHO, COUNTY OF Lemhi.

On this 24th day of June, 19 92, before me, a notary public in and for said State, personally appeared J. WILEY and CLAIR WILEY, known to me to be the President and Secretary of the corporation that executed the instrument or the persons who executed the instrument on behalf of said corporation, and acknowledged to me that said corporation 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.

Edwin S. Hall
Notary Public

Residing at Salmon, Idaho
Comm. Expires 11/10/98

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the request of Bill Allen Fierow

at 31 minutes past 5 o'clock p.m., this 23rd day of June, 19 93, in my office, and duly recorded in 5 of Deeds at page

Alberta Wiederrick
Ex-Officio Recorder

Debra Salomon
Deputy.

Fees \$ 3.00
Mail to:

INSTRUMENT NO. 219184

SCANNED
NOV 18 2004

WARRANTY DEED

For Value Received

JIMMY D. OWENS and FAYE MCDONALD OWENS, husband and wife.

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

MICHAEL TUPPER and FRANCES TUPPER, husband and wife.

Rt. #1, Box 54A, Salmon, Idaho 83467
the grantees, the following described premises, in Lemhi County Idaho, to wit:

parcel of land located in the SW $\frac{1}{4}$, Section 8, T. 22 N., R. 22 E.,
B. M., Lemhi County, Idaho, more particularly described as follows:

Commencing at the West Quarter Corner of said Section 8, a distance
of 21.47 feet on a bearing of S. 59° 58' 09" E. to the Northwest
corner of Lot 1, Antelope Hills Subdivision, thence S. 89°
26' 45" E. 532.71 feet along the North boundary of said Lot 1;
thence S. 89° 41' 24" E. 1030.24 feet to the REAL POINT OF BEGINNING.
Thence S. 89° 41' 24" E. 335.51 feet along the North boundary of said Lot 1;
Thence S. 00° 06' 13" E. 1284.21 feet along the East boundary of Lot 1;
Thence S. 85° 29' 33" W. 336.50 feet;
Thence N. 00° 06' 13" W. 1312.47 feet to the REAL POINT OF BEGINNING.

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

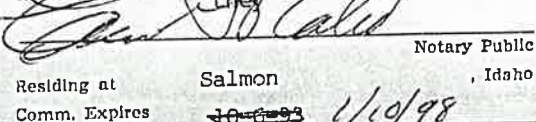
and that the y will warrant and defend the same from all lawful claims whatsoever.

Dated: July 19, 1993


Faye McDonald Owens

STATE OF IDAHO, COUNTY OF LEMHI
On this 19th day of July, 1993,
before me, a Notary Public in and for said State, personally
appeared, Jimmy D. Owens and
Faye McDonald Owens,

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


Notary Public
Residing at Salmon, Idaho
Comm. Expires 10-6-93 1/10/98

STATE OF IDAHO, COUNTY OF Lemhi
I hereby certify that this instrument was filed for re-
cord at the request of Lemhi Title

at 40 minutes past 4 o'clock P. m.,
this 19 day of July
1993, in my office, and duly recorded in Book Five
of Deeds at page


Ex-Officio Recorder

By Deputy.

Fees \$ 3.00 pd.
Mall to:

INSTRUMENT NO. 219132

SCANNED
NOV 18 2004

DEED

FOR VALUE RECEIVED, LAZY TY LIVESTOCK, INC.

a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto MICHAEL R. TUPPER and FRANCES TUPPER
Husband and Wife,
grantee, the following described real estate, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantees
their 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 First day of September, 1992.



By

M. J. Wiley
M. J. WILEY, PRESIDENT.

ATTEST:

Clair Wiley
CLAIR WILEY, SECRETARY.

STATE OF IDAHO, COUNTY OF Lemhi
On this 1st day of September, 1992,
before me, a notary public in and for said State, personally
appeared M. J. WILEY and
CLAIR WILEY, 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 hereunto set my hand
and affixed my official seal, the day and year in this certificate
first above written.

[Signature]
Notary Public

Residing at Salmon, Idaho
Comm. Expires 1/10/98

STATE OF IDAHO, COUNTY OF Lemhi
I hereby certify that this instrument was filed for record at
the request of Bill Allen Escrow
at 19 minutes past 3 o'clock p.m.,
this 11th day of January, 1993,
in my office, and duly recorded in Book
of Deeds at page

Alberta Niederrick
Ex-Officio Recorder

By Terrin J. Morton Deputy.
Fees \$6.00
Mail to:

SCANNED
NOV 18 2004

INSTRUMENT NO. 217457

A Parcel of land located in the SW $\frac{1}{4}$, Section 8, T. 22 N. R. 22 E., B.M., Lemhi County, Idaho more particularly described as follows:

Commencing at the West Quarter Corner of said Section 8, a distance of 21.47 feet on a bearing of S. 59° 58' 09" E. to the northwest corner of Lot 1, Antelope Hills Subdivision, thence S. 89° 26' 45" E., 532.71 feet along the north boundary of said Lot 1; thence S. 89° 41' 24" E. 153.48 feet to the REAL POINT OF BEGINNING.

Thence S. 89° 41' 24" E. 876.75 feet along the north boundary of said Lot 1;

Thence S. 00° 06' 13" E. 1312.47 feet;

Thence S. 85° 29' 33" W. 13.43 feet;

Thence N. 89° 15' 45" W. 260.08 feet;

Thence N. 87° 05' 43" W. 602.64 feet;

Thence N. 00° 10' 11" W. 1284.38 feet to the REAL POINT OF BEGINNING, said parcel contains 26.195 Acres.

SUBJECT TO: A 50 foot wide access easement, being 50 feet north of the south boundary line, and across the south end of the above described parcel.

INCLUDING: A 50 foot wide access easement from the Antelope Hills Subdivision access easement to the above described property more particularly described as follows:

Commencing at the southeast corner of the above described property:

Thence N. 85° 29' 33" E. 349.93 feet to the centerline of the Antelope Hills Subdivision access easement;

Thence N. 00° 06' 13" W. 50.00 feet along said centerline;

Thence S. 85° 29' 13" W. 349.93 feet;

Thence S. 00° 06' 13" E. 50.00 feet to the REAL POINT OF BEGINNING.

TOGETHER WITH any all improvements located thereon or appurtenant thereto, and the wheel-line presently on the premises.

SAID PARCEL IS SUBJECT to a Declaration of Protective and Restrictive Covenants dated September 9, 1983, recorded in Lemhi County, Idaho, as Instrument Number 169175 on September 22, 1982.

All water and water rights are hereby transferred in accordance with the Declaration of Covenants referred to herein.

PROPERTY DESCRIPTION
WILEY TO TUPPER

EXHIBIT "A"

SCANNED
MAY 18 2004

QUITCLAIM DEED

This INDENTURE, Made this 21ST day of JANUARY
in the year of our Lord one thousand nine hundred and 93 between

M. JAY WILEY and EILEEN M. WILEY, husband and wife
of BOX 63, CARMEN, IDAHO 83462 County of LEMHI

State of IDAHO, the parties of the first part, and

LAZY TY LIVESTOCK, INC., AN IDAHO CORPORATION

of P. O. BOX 63, CARMEN, IDAHO 83462 County of LEMHI

State of IDAHO, the parties of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the
sum of ONE DOLLARS

lawful money of the United States of America, to THEM in hand paid by the said
parties of the second part, the receipt whereof is hereby acknowledged, do by these
presents remise, release and forever QUITCLAIM, unto the said party of the
second part, and to their heirs and assigns, all that certain lot
piece or parcel of land, situate, lying and being in

County of LEMHI, state of Idaho, bounded and particularly described as follows,
towit:

A PARCEL OF LAND LOCATED IN LOT 1 OF ANTELOPE HILLS SUBDIVISION AS RECORDED ON
SEPTEMBER 22, 1983, IN BOOK 5 AT PAGES 60-61, IN THE LEMHI COUNTY COURTHOUSE,
SW $\frac{1}{4}$ SECTION 8, T. 22 N., RANGE 22 E.B.M., LEMHI COUNTY, IDAHO, MORE PARTICULARLY
DESCRIBED AS FOLLOWS:

Commencing at the Northwest corner of said Lot 1 and being the REAL POINT OF
BEGINNING:

Thence S. 89°26'45" E., 532.71 feet; Thence S. 89°41'24"E.,
1,365.75 feet; Thence S. 0°06'13"E., 1,284.21 feet; Thence
S.85°29'33" W., 349.93 feet; Thence N. 89°15'43"W., 260.08
feet; Thence N. 87°05'43" W., 1,283.77 feet; Thence N. 0°
10'11"W., 1,255.54 feet to the REAL POINT OF BEGINNING.

SCANNED
NOV 18 2004

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.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the party of the second part, and to THEIR heirs and assigns forever.

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

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

M. Jay Wiley
M. JAY WILEY
Eileen M. Wiley (Seal)
EILEEN M. WILEY (Seal)
(Seal)
(Seal)

STATE OF IDAHO

COUNTY OF LEMHI

On this 21ST day of JANUARY
ERIN G. ROPIE

in the year 1993, before me
a Notary Public

In and for said State, personally appeared M. JAY & EILEEN M. WILEY known to me to be the persons whose names are subscribed to the within instrument, and who declare 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 first above written.

Erin G. Ropie
Notary Public for the State of Idaho
Residing at CALGON, Idaho

QUICCLAIM DEED

217685

SCANNED
NOV 18 2004

WARRANTY DEED

For Value Received

DAVID J. MARTIN and BARBARA J. MARTIN
Husband and Wife (Formerly Barbara J. Gardner)

the grantors, do hereby grant, bargain, sell and convey unto
M. JAY WILEY and EILEEN M. WILEY
Husband and Wife

the grantees, the following described premises, in Lemhi County Idaho, to wit:

A parcel of land located in Lot 1 of Antelope Hills
Subdivision as recorded on September 22, 1983 in Book
5 at page 60-1 in the Lemhi County Courthouse, SW 1/4
Section 8, T. 22 N. R. 22 E., B.M., Lemhi County, Idaho
more particularly described as follows:

Commencing at the northwest corner of said Lot 1 and
being the REAL POINT OF BEGINNING,
Thence S. 89 deg. 26' 45" E. 532.71 feet;
Thence S. 89 deg. 41' 24" E. 1365.75 feet;
Thence S. 0 deg. 06' 13" E. 1284.21 feet;
Thence S. 85 deg. 29' 33" W. 349.93 feet;
Thence N. 89 deg. 15' 45" W. 260.08 feet;
Thence N. 87 deg. 05' 43" W. 1289.77 feet;
Thence N. 0 deg. 10' 11" W. 1255.54 feet to the
REAL POINT OF BEGINNING, said Parcel contains 56.19 Acres.

SAID PARCEL IS SUBJECT to a Declaration of Protective and
Restrictive Covenants dated September 9, 1983, recorded in Lemhi
County as Instrument Number 169175, recorded September 22, 1983.

All water and water rights are hereby transferred in
accordance with the Declaration of Covenants referred to herein,
or as otherwise provided as per agreement.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees,
their heirs and assigns forever. And the said Grantors do hereby covenant to
and with the said Grantees, that they are the owner in fee simple of said premises; that they
are free from all incumbrances except the lien for taxes for the current year,
any liens and encumbrances of record on this date, and any lien or
encumbrances suffered or created by Grantees prior to the date hereof,
and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: August 27, 1990.

David J. Martin
DAVID J. MARTIN
Barbara J. Martin
BARBARA J. MARTIN

STATE OF IDAHO, COUNTY OF Lemhi
On this 27th day of August, 1990,
before me, a notary public in and for said State, personally
appeared

DAVID J. MARTIN and
BARBARA J. MARTIN

known to me to be the persons whose names are
subscribed to this instrument, and acknowledged
to me that they executed the same.

Notary Public

Residing at Salmon, Idaho
Comm. Expires 1/1/92

STATE OF IDAHO, COUNTY OF Lemhi

I hereby certify that this instrument was filed for record
at the request of *David J. Martin and Barbara J. Martin*

at 11 minutes past 3 o'clock
this 27th day of August,
1990, in my office, and duly recorded in Book
of Deeds at page

Barbara J. Martin
Ex-Officio Recorder
By *David J. Martin* Deputy.

Fee \$2.00
Mail to:

SCANNED

NOV 18 2004

INSTRUMENT NO. 169175

CORPORATION DEED

For Value Received BAR CIRCLE ONE, 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

DAVID J. MARTIN and BARBARA J. GARDNER,
as joint tenants
whose current address is P.O. Box 266
Carmen, Idaho 83462

the following described real estate, to-wit:

A parcel of land located in Lot 1 of Antelope Hills Subdivision as recorded on September 22, 1983, in Book 5 at Page 60-1, in the Lemhi County Courthouse, SW $\frac{1}{4}$ Section 8, T. 22 N., R. 22 E. B.M., Lemhi County Idaho, more particularly described as follows:
Commencing at the Northwest corner of said Lot 1 and being the

REAL POINT OF BEGINNING:

Thence S. 89° 26' 45" E.;	532.71 feet;
Thence S. 89° 41' 24" E.	1365.75 feet;
Thence S. 0° 06' 13" E.	1284.21 feet;
Thence S. 85° 29' 33" W.	349.93 feet;
Thence N. 89° 15' 43" W.	260.08 feet;
Thence N. 87° 05' 43" W.	1283.77 feet;
Thence N. 0° 10' 11" W.	1255.54 feet to the REAL

POINT OF BEGINNING.

Subject to Restrictive Covenants appearing of record as Instrument No. 169175, recorded September 22, 1983.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, 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 23 day of June, 1989.

By Stephen J. Nafus
Stephen J. Nafus
PRESIDENT.

ATTEST: Sheila C. Nafus
Sheila C. Nafus
SECRETARY.

STATE OF IDAHO, COUNTY OF Lemhi
ON THIS 23rd day of June, 1989,
before me, a notary public in and for said State, personally appeared
Stephen J. Nafus and
Sheila C. Nafus, known to me to be

the President and Secretary of the corporation that executed this instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

[Signature]
Notary Public
Residing at Salmon
Comm. Expires 1/10/92

State of Idaho)
County of Lemhi)

217454

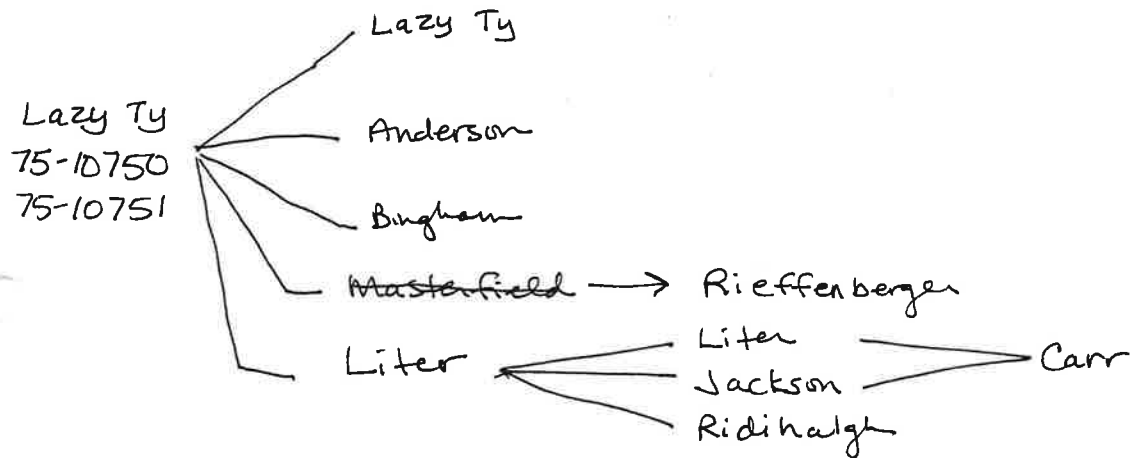
This instrument was filed for record at the request of Bill Allen Escrow at 3:16 o'clock P on 1-11 1989

and duly filed and indexed in the records of Lemhi County

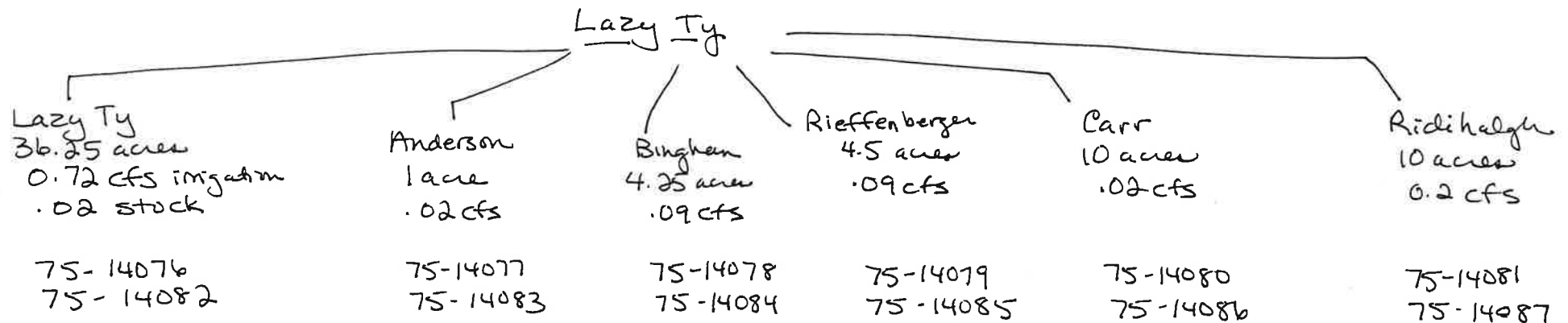
Alberta Wiederrick
County Clerk
By [Signature] Deputy
Filed 300

SCANNED
NOV 18 2004

7/10/02 by Jennifer Crabtree



End Result





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 9, 2002

LAZY TY LIVESTOCK INC
C/O CLAIR WILEY
PO BOX 185
SALMON ID 83467

RE: CHANGE IN WATER RIGHT OWNERSHIP FOR 75-10750 & 75-10751

Dear Ms. Wiley:

The request for Change in Ownership for a portion of the above-referenced Notice(s) of Claim has been processed.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

75-10750 split into:

75-10751 split into:

75-14076, Lazy Ty, 36.25 acres, 0.72 cfs
75-14077, Anderson, 1 acre, .02 cfs
75-14078, Bingham, 4.25 acres, .09 cfs
75-14079, Rieffenberger, 4.5 acres, .09 cfs
75-14080, Carr, 10 acres, 0.2 cfs
75-14081, Ridihalgh, 10 acres, 0.2 cfs

75-14082, Lazy Ty, 36.25 acres, 0.72 cfs
75-14083, Anderson, 1 acre, .02 cfs
75-14084, Bingham, 4.25 acres, .09 cfs
75-14085, Rieffenberger, 4.5 acres, .09 cfs
75-14086, Carr, 10 acres, 0.2 cfs
75-14087, Ridihalgh, 10 acres, 0.2 cfs

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Jennifer Crabtree
Jennifer Crabtree
Technical Records Specialist

cc: M. Gary & Geneal F. Anderson
James W. & Celeste M. Bingham
John & Elizabeth Rieffenberger
Mike Carr
Barbara J. Ridihalgh

Lot 12
Antelope Hills
Subdivision

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

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

RECEIVED
JUL 13 1999
Department of Water Resources
Eastern Region

1. Water Right or Adjudication Claim No(s): A75-10750 A75-10751

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

A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

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 LAZY TY Livestock INC % Clair Wiley

PO Box 185 Salmon ID 83467

4. New Owner/Claimant(s) Edward F. & Judith K. Mastenfield

Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address % Salmon Meadows Campground 400 N ST. Charles #25

City, State and ZIP Code Salmon ID 83467

New Telephone Number () _____

5. Date you acquired the property 9-17-90

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 4.5 ac Number and type of stock NONE

Diversion rate in CFS 0.18 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) Judith K. Mastenfield
Edward F. Mastenfield

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign this 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.

WARRANTY DEED

For Value Received

RECEIVED

JUL 13 1999

Department of Water Resources
Eastern Region

STEPHEN J. NAFUS and SHELLEY A. C. NAFUS, husband and wife,
the grantors, do hereby grant, bargain, sell and convey unto

DAVID J. MARTIN and BARBARA J. GARDNER, as joint tenants,
of Box 266 Carmen, Idaho 83462
the grantees, the following described premises, in Lemhi County Idaho, to wit:

Lot Twelve (12) of Antelope Hills Subdivision, Lemhi County, Idaho.

Subject to: Restrictive Covenants, appearing of record as Instrument No. 169175,
recorded September 22, 1983.

Subject to: Sanitary Regulations and recommendations appearing of record as Instrument
No. 169176, recorded September 22, 1983.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee,
their heirs and assigns forever. And the said Grantors do hereby covenant to
and with the said Grantees, that they are the owners in fee simple of said premises; that they
are free from all incumbrances

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

Dated: July 20, 1989

Stephen J. Nafus
Sheri A. Nafus

STATE OF IDAHO, COUNTY OF LEMHI
On this 20th day of July, 1989
before me, a notary public in and for said State, personally
appeared *Stephen J. Nafus and*
Sheri A. Nafus

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

Residing at Salmon
Comm. Expires 1-10-92

Notary Public
Idaho

STATE OF IDAHO, COUNTY OF Lemhi
I hereby certify that this instrument was filed for re-
cord at the request of *Lemhi Title*

at 45 minutes past 2 o'clock p.m.,
this 24th day of July,
1989, in my office and duly recorded in Book
of Deeds at page

Arthur Wiederrick
Ex Officio Recorder

David J. Martin
Deputy

Fee \$ 2.00
Paid to

INSTRUMENT NO. 202062

WARRANTY DEED

RECEIVED
JUL 13 1999

Department of Water Resources
Eastern Region

For Value Received
DAVID J. MARTIN and BARBARA J. MARTIN
Husband and Wife, (Formerly Barbara J. Gardner)

the grantors do hereby grant, bargain, sell and convey unto
EDWARD F. MASTERFIELD and JUDITH K. MASTERFIELD
Husband and Wife

the grantees, the following described premises, in Lemhi County Idaho, to-wit:

1/4 TWENTY (12), ANTELOPE HILLS
LEMHICOUNTY, IDAHO.

SAYED PARCEL IS SUBJECT to a Declaration of Protective and
Restrictive Covenants dated September 9, 1983, recorded in Lemhi
County, Idaho, as Instrument Number 169175, and recorded September
22, 1982.

ALL water and water rights are hereby transferred in
accordance with the Declaration of Covenants referred to herein.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees,
their heirs and assigns forever. And the said Grantors do hereby covenant to
and with the said Grantees, that they are the owner in fee simple of said premises; that they
are free from all incumbrances except the lien for taxes for the current year,
any liens and encumbrances of record on this date, and any liens or
encumbrances suffered or created by Grantees prior to the date hereof,
and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: September 14, 1990.

DAVID J. MARTIN
BARBARA J. MARTIN

STATE OF IDAHO, COUNTY OF Lemhi
On this day of Sept., 1990,
before me, a notary public in and for said State, personally
appeared:

DAVID J. MARTIN and
BARBARA J. MARTIN
I know them to be the
subscribers to the within
instrument, and acknowledged
to me that they executed the same.
Notary Public

STATE OF IDAHO, COUNTY OF Lemhi
I hereby certify that this instrument was filed for re-
cord at the request of Lemhi Title
at 10 minutes past 1 o'clock a.m.,
this 17th day of September
1990, in my office, and duly recorded in Book
of Deeds at page
Alberta W. Anderson
Ex-Officio Recorder
Deputy.

INSTRUMENT NO. 20811

12)

Set 5/8" x 30" Steel Bar w/ Plastic Cap as Boundary Corner

Scale 1" = 200'

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Department of Water Resources
Eastern Region

(1)

1365.75

2436.71
5044.124'E

565.00'

505.96'

N2°15'22"W
149.12'

N87°50'41"E
852.43'

N69°18'22"W
1329.63'

(14)

(15)

(10)

(13)

(12)

(11)

(9)

(5)

(6)

(7)

(8)

NW 1/4 SE 4

SW 1/4 SE 4

SE 1/4 SW 4

50' Access Easement

50' Access Easement

50' Access Easement

1365.75

642.80'

658.35'

2180.85'

658.35'

2180.85'

658.35'

2180.85'

658.35'

2180.85'

658.35'

2180.85'

658.35'

2180.85'

151

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

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

0200
DC
7/26/99
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JUL 26 1999

Department of Water Resources
Eastern Region

1. Water Right or Adjudication Claim No(s): A75-10750 A75-10751
2. The following **REQUIRED** information must be submitted with this form:
- A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
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 Lazy Ty Livestock Inc % Claire Wilby
Po Box 185 Salmon ID 83467
4. New Owner/Claimant(s) Mark D % Mary M. Lister
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address Po Box 271
City, State and ZIP Code Salmon ID 83467
New Telephone Number (208) 756-3998

5. Date you acquired the property 5-23-94

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 9.5 Number and type of stock _____

Diversion rate in CFS .19 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) Mark D Lister

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign this 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.

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JUL 26 1999

Department of Water Resources
Eastern Region

DEED

FOR VALUE RECEIVED, LAZY TY LIVESTOCK, INC.

a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto MARK D. LITER and MARY M. LITER, Husband and Wife of P.O. Box 271, Salmon, Idaho grantee, the following described real estate, to-wit:

A Parcel of land located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 8, T. 22 N. R. 22 E., B.M., Lemhi County, Idaho more particularly described as follows:

Commencing at the West Quarter Corner of said Section 8, a distance of 21.47 feet on a bearing of S. 59° 58' 09" E. to the northwest corner of Lot 1, Antelope Hills Subdivision and being the REAL POINT OF BEGINNING.

Thence S. 89° 26' 45" E. 532.71 feet along the north boundary of said Lot 1;

Thence S. 89° 41' 25" E. 153.48 feet along said north boundary of Lot 1;

Thence S. 00° 10' 11" E. 1284.38 feet to a point on the south boundary of said Lot 1;

Thence N. 87° 05' 43" W. 687.13 feet along the south boundary of said Lot 1;

Thence N. 00° 10' 11" W. 1255.54 feet along the west boundary of said Lot 1 to the REAL POINT OF BEGINNING, said parcel contains 20.00 Acres.

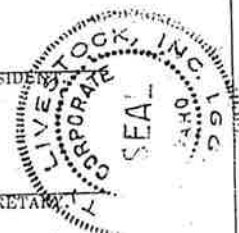
INCLUDING: A 50 foot wide access easement across the South boundary of Lot 1, Antelope Hills Subdivision, from the road access to the east boundary of the above described parcel.

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantees their 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 Third day of June, 1992.

By

M. J. Wiley
M. J. WILEY, PRESIDENT
ATTEST:
Clair Wiley
CLAIR WILEY, SECRETARY



STATE OF IDAHO, COUNTY OF Lemhi
On this 3rd day of June, 1992,
before me, a notary public in and for said State, personally
appeared M. J. WILEY and
CLAIR WILEY,

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 hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

[Signature]
Notary Public
Residing at Salmon, Idaho
Comm. Expires 4/16/98

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the request of Bill Allen Escrow

at 33 minutes past one o'clock p.m.,
this 23rd day of May, 1994, in my office, and duly recorded in Book of Deeds at page

Alberta Winderick
Ex-Officio Recorder
By *Debra Jacobson* Deputy.

Fees \$ 3.00
Mail to:

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JUL 26 1999

Department of Water Resources
Eastern Region

Steve Hams

Date _____



Couch Surveying and Mapping
1021 Main Street
Salmon, Idaho 83467
208-756-3019



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 75-14076
Date Received: 7/1/2002
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

LAZY TY LIVESTOCK INC Phone:
C/O CLAIR WILEY SECRETARY
PO BOX 185
SALMON ID USA 83467

2. Date of Priority: 05/01/1875

3. Source: CARMEN CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
22N	22E	9	SW NW SW	LEMHI	

5. Description of diverting works:

HEADGATE TO DITCH TO PLACE OF USE FOR IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.72	
STOCKWATER	04/01	11/01	0.02	

7. Total Quantity Appropriated is:
0.72 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
22N	22E	8	NE SW	IRRIGATION	16.25
			NW SW	IRRIGATION	20

A7514076



NE SW
NW SW

STOCKWATER
STOCKWATER

Section Acres 36.25

Total Acres 36.25

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 75-10750

15. Basis of Claim: Decreed

Splits of 75-10750 & 75-10751

