06/22/2002

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: July 23, 2002

Water right number: 37-7381

CHARLES T FOLEY
C/O CLOVER CREEK RANCH
1502 B SOUTH 300 E
BLISS ID 83314

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

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

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

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

DATE: 7/13/02 **SIGNATURE:** Charles T Foley

Please print your name: Charles T. Foley

IDWR State Office, PO Box 83720, Boise ID 83707-9815

37-7381



600 0 600 1200 1800 Feet

T05S R12E S16

N
W E
S

Map prepared by: Carter Fritschle
Date prepared: 04/08/02
1987-1988 NAPP photography
Idaho Department of Water Resources

04/08/2002

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-7381

NAME AND ADDRESS: HARROP RANCH INC
PO BOX 4102
POCATELLO ID 83205

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.80 CFS
160.0 AFY

USE OF THIS RIGHT WITH RIGHT NO. 37-7761B IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.67 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 584 AF.

PRIORITY DATE: 09/11/1974

POINT OF DIVERSION:

T05S R12E S16 NWNESW Within GOODING County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4/01 10/15	0.800 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within GOODING County

T05S R12E S16	SWSW	23.0	T05S R12E S16	SESW	17.0

40 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 37-7761B IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 146 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: License

USE OF THIS RIGHT IS COMBINED WITH WATER FROM NORTH SIDE CANAL CO. LTD.

37-7381
-7761 - part b - see license file

WMD POD Data 05S 12E 16 NESW

Legal Description	GPS Site ID	Diversion Name	Meas Option	POD
05S 12E 16 NESW	A0004193	SOUTH WELL (NOT IN SVC)		401637

Latitude 042:59:18.764 Longitude -115:02:24.515 GPS File C091016A Unused (6)

Comments CHANGED OWNERSHIP FROM HARROP, SEEKING CHANGE FORMS cjh
Mike Voss, 1502 B South 300 East, Bliss, Id. Is operator/ caretaker (gpm 6-19-00)

PCC Data

Year	Total KWH	PCC Acre-Ft	Qualifier	PCC	PCC Date	Utility	Account Number	Service Number
1999			Z					

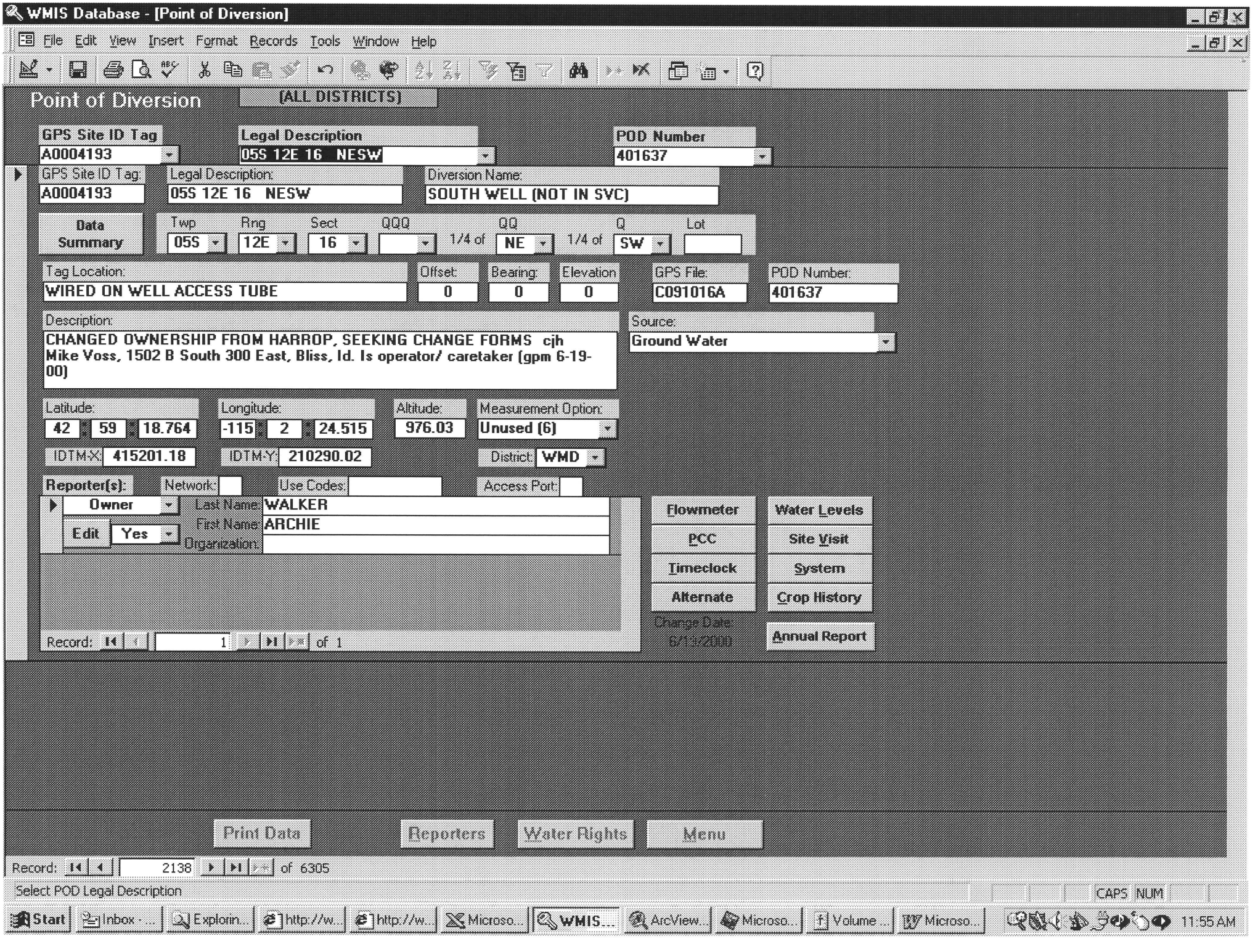
Comments: not used in 1999 (gpm 6-19-00) Tracking: Preferred: ☐ Validated: ☐

Change Date: 6/19/2000

Site Visits

Site Visit Date	Site Examiner	Reason	Change Date:
9/10/1997	CHODGES	Inventory	

Notes:


WMIS Database - [Point of Diversion]
File Edit View Insert Format Records Tools Window Help
Point of Diversion
[ALL DISTRICTS]
GPS Site ID Tag
A0004193
Legal Description
05S 12E 16 NESW
POD Number
401637
GPS Site ID Tag:
A0004193
Legal Description:
05S 12E 16 NESW
Diversion Name:
SOUTH WELL (NOT IN SVC)
Data Summary
Twp
05S
Rng
12E
Sect
16
QQQ
1/4 of
QQ
NE
1/4 of
Q
SW
Lot
Tag Location:
WIRED ON WELL ACCESS TUBE
Offset:
0
Bearing:
0
Elevation
0
GPS File:
C091016A
POD Number:
401637
Description:
CHANGED OWNERSHIP FROM HARROP, SEEKING CHANGE FORMS cjh
Mike Voss, 1502 B South 300 East, Bliss, Id. Is operator/ caretaker (gpm 6-19-00)
Source:
Ground Water
Latitude:
42 59 18.764
Longitude:
-115 2 24.515
Altitude:
976.03
Measurement Option:
Unused (6)
IDTM-X:
415201.18
IDTM-Y:
210290.02
District:
WMD
Reporter(s):
Network:
Use Codes:
Access Port:
Owner
Last Name:
WALKER
First Name:
ARCHIE
Edit
Yes
Organization:
Record:
1
of 1
Flowmeter
Water Levels
PCC
Site Visit
Timeclock
System
Alternate
Crop History
Change Date:
6/11/2000
Annual Report
Print Data
Reporters
Water Rights
Menu
Record:
2138
of 6305
Select POD Legal Description
CAPS NUM
Start
Inbox - ...
Explorin...
http://w...
http://w...
Microso...
WMIS...
ArcView...
Microso...
Volume ...
Microso...
11:55 AM

WMD POD Data 05S 12E 16 NESW

Legal Description	GPS Site ID	Diversion Name	Meas Option	POD
05S 12E 16 NESW		DOMESTIC WELL		401639
Latitude 000:00:00.000	Longitude 000:00:00.000	GPS File	Waived (5)	
Comments CHANGED NAME FROM HARROP, SEEKING CHANGE FORMS. WAIVE OK. cjh				

Owner = Archie Walker

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A37-07381**
Date Received: 8/22/1988
Receipt No: 500610
Received By: gl

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HARROP RANCH INC. 208-554-4641
   Address: P.O. BOX 4102
   POCATELLO, ID 83205

2. Date of Priority: SEP 11, 1974

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
05S	12E	16	NW NE SW		GOODING

5. Description of diverting works:
   WELL, PUMP, 150 HP MOTOR, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.800		

7. Total Quantity Appropriated is:
   0.800 C.F.S. (and/or) 120.00 A.F.A.

8. Total consumptive use is 80.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	21E	16	SW SW		IRR	25.0
			SE SW		IRR	15.0
				Section Acres		40.0

MICROFILMED
FEB 24 1993

10. Place of Use: Continued

Total Acres 40.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

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

Signature of Claimant(s): Harrop Ranch Inc. Date: 8-22-88

E J Harrop, President Date: - - -

State of Idaho)
) SS.
County of Twin Falls)

Subscribed and sworn (or affirmed) before me this 22nd day of August 19 88

Roxanne Storey
Notary Public

Seal

Residing at Buhl, Id

My Commission Expires 6-30-94

MICROFILMED
FEB 24 1993

State of Idaho

Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 37-7381 Priority September 11, 1974 Amount 0.80 cfs

THIS IS TO CERTIFY, that HARROP RANCH, INC.

of Pocatello, Idaho, has complied with the terms and conditions of Permit No. 37-7381 issued pursuant to Application for Permit dated October 21, 1974, and has submitted proof to the Department of Water Resources on October 15, 1979, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 0.80 cfs of water from a groundwater source, tributary to _____, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from April 1 to October 15	at 0.80 cfs and	120 acre feet
	from _____ to _____ (both dates inclusive)	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

Subject, however, to the condition that no more than 0.80 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 120 acre feet per year, said waters to be diverted within the NE¼SW¼, Sec. 16, Twp. 5S, Rge. 12E, B.M. in the County of Gooding

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5S	12E	16											25	15					40

Total number of acres irrigated 40

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, **Idaho Code**, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 10 day of July, 19 80.

Director

Form 219
12/79

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

37-7381
Permit No.

CONTACT WITH PERMIT HOLDER

		DATE	INITIALS	REMARKS
☐	Appointment letter mailed:			
☐	Telephone call made: (List Telephone No. used)			
☒	Appointment scheduled for: (Date, time, location)	5-6-80	GS	10 am

EXAMINATION

Date 5-6-1980 Accompanied by Mr Harrop Total Q measured 2.02 cfs
If source is surface water, estimate total flow of source
Methods of measurement Ammeter 7.981" Meets Permit requirements? ✓

Measurement calculations:
Measured 7.981" pressure - 4.3" correction factor = 13.7" pressure = 2.02 cfs. Allow 0.80 cfs (amount applied for).
40 Ac x 3 AF/Ac/Ann = 120 AF/Annum

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	150	GE	BFJ215128	Wellline	T78228	Ammeter	Good	#19139

System Description Well, pump, 150 hp motor, 8" mainline, 5 36-head wheel line

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

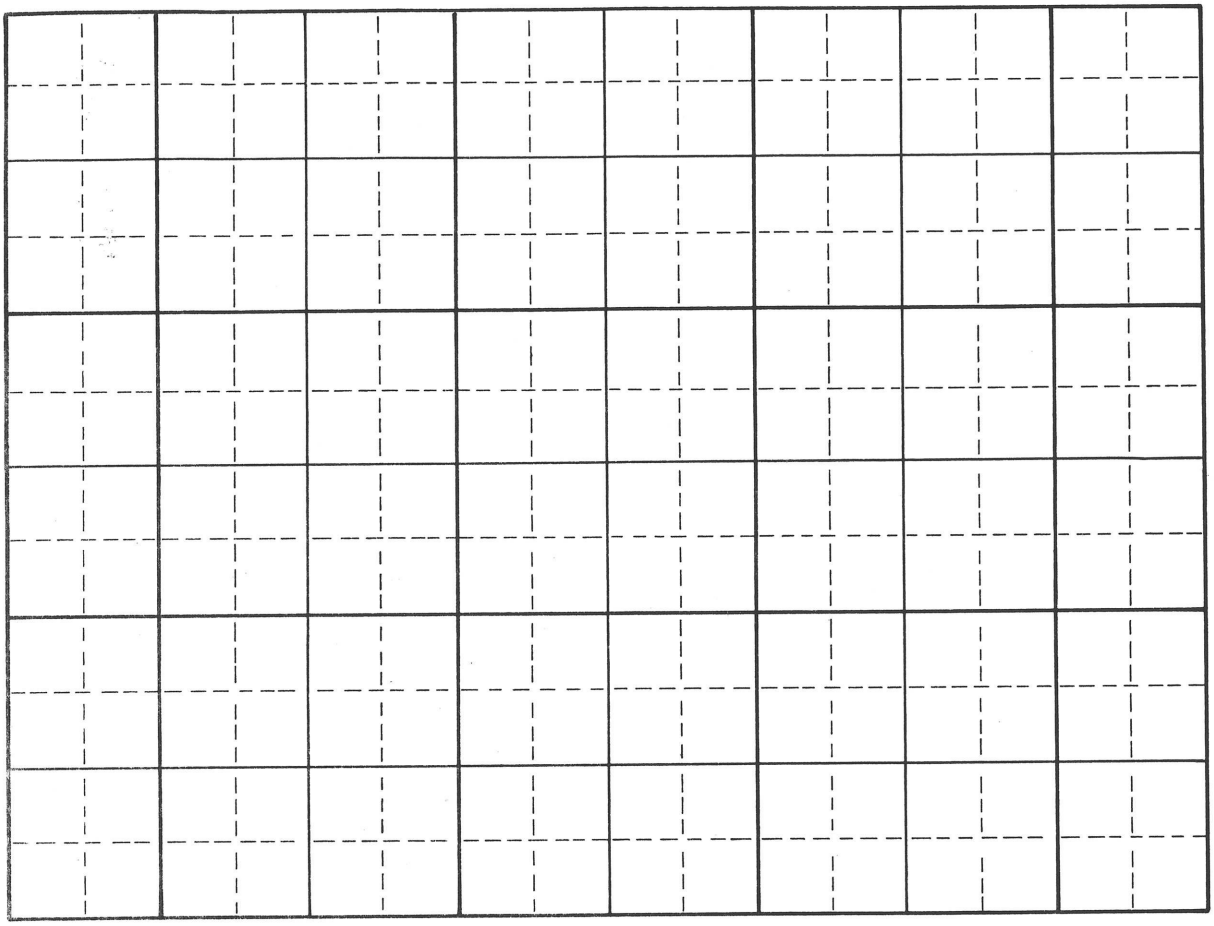
Irrigation requirement = 3.0 AFA/Acre

USE	Q (cfs)	V (afa)	FROM	TO
irrigation	0.80	120 AF/Annum	4-1	10-15
Total	0.80 cfs	120 AF/Annum	4-1	10-15

Remarks: This well waters the lower part of this farm. Another well waters the upper part of the farm. The two wells are not connected!
Measured with 4 lines + one 3-head line running at 40 psi. 0-80" meter Box # 65810
Access port located on side of pipe just above connection to aluminum mainline, about 10-15' below well head.

RECEIVED

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: NE¼ SW¼ Sec. 16 T.5S R.12E

Place(s) of Use

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5S	12E	16											25	15					40

Recommended Amendments:

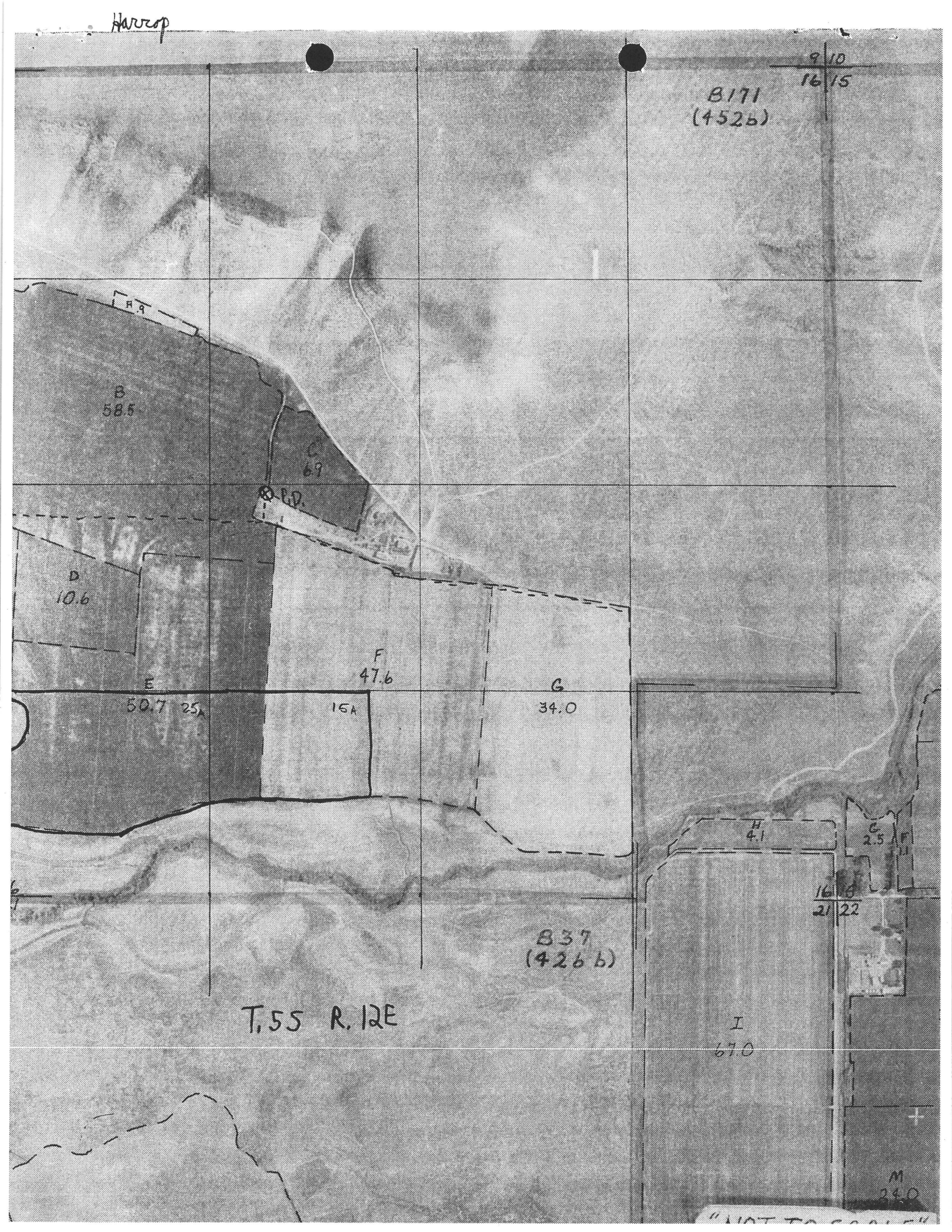
☒ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other _____

Examiner's Signature J. E. Stanton Date 5-6-1980

Checked by Gary Lee Reading te 5-8-1980

Approved by _____ Date _____


Harrop
9 10
16 15
B171
(452b)
A 9
B
58.5
C
6.9
P.D.
D
10.6
F
47.6
E
50.7 25A
15A
G
34.0
H
4.1
G
2.5
F
1.1
16 17
21 22
B37
(426b)
T. 55 R. 12E
I
67.0
M
34.0

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 37-7381
Date Received: 8/22/1988
Receipt No: S001610
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CHARLES T FOLEY
C/O CLOVER CREEK RANCH
1502 B SOUTH 300 E
BLISS ID USA 83314

Phone: (208) 352-4292

2. Date of Priority: 09/11/1974

3. Source: GROUND WATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
05S	12E	16	NW	NE	SW	GOODING	

5. Description of diverting works:

WELL, PUMP, 150 HP MOTOR, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	10/15	0.8	

7. Total Quantity Appropriated is:
0.8 C.F.S. and/or 120 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
05S	21E	16	SW	SW		IRRIGATION	25
			SE	SW		IRRIGATION	15
						Section Acres	40
						Total Acres	40

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: License

Form 42-248/42-1409(6) July, 2000

(Mike Vos 352-4292)

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

RECEIVED
JUN 20 2002
Department of Water Resources
Southern Region

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
A37-07381					
A37-07761B					
A37-04137					
A37-07194					
A37-07761A					

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): Archie O. Walker
   Cleans Ferry 83623

4. New Owner/Claimant(s): Charles T. Foley
   Name Connector (Check one): [ ] and, [ ] or, [ ] and/or
   New Mailing Address: C/O Clover Creek Ranch 1502 B South 300 East
   City, State and ZIP Code: Bliss Idaho 83314
   New Telephone Number: (208) 352-4292

5. Date you acquired the property: Jan 2001

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)

_____

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 6/20/02 Fee 0
Receipted by _____ Date _____ Receipt No. _____
Processed by _____ AJ Date 6/20/02 WR _____ Date _____

Walker & Foley

6000389

(Space Above This Line For Recorder's Use)

WARRANTY DEED

Walker Ranch, L.L.C., an Idaho limited liability company, hereinafter called the Grantor, of 1707 Carribean Drive, Sarasota, Florida 34321, for good and valuable consideration, the receipt of which is hereby acknowledged, hereby grants, bargains, sells and conveys unto **Charles T. Foley**, whose current address is c/o Estabrook Capital Management, 430 Park Avenue, New York, New York 10022, hereinafter called the Grantee, all right, title, estate and interest in the real property, located in Gooding County, Idaho and more particularly described in exhibit "A" attached hereto.

TOGETHER WITH all water rights, improvements, easements, hereditaments and appurtenances thereto, if any.

SUBJECT TO: Taxes, easements, restrictions and encumbrances of record.

TO HAVE AND TO HOLD, the said premises, and their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. Grantor, for itself and it's successors and assigns, does hereby covenant to and with the said Grantee, his heirs and assigns, that (1) the Grantor is the owner in fee simple of said premises; (2) Grantor has the right to convey the premises; (3) the premises are free from all liens and encumbrances except as above described; (4) Grantor warrants and will defend the quiet and peaceable possession of the premises by the Grantee, his heirs and assigns forever, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof, through or under Grantor, but not otherwise.

DATED this 4th day of January, 2001.

Walker Ranch, L.L.C., an
Idaho limited liability company

By: Archie D Walker
Archie D. Walker

By: Amy C Walker
Amy C. Walker

Instrument # 188890
GOODING, GOODING, IDAHO
2001-01-08 01:36:41 No. of Pages: 5
Recorded for : GOODING TITLE
HELEN EDWARDS Fee: 15.00
Ex-Officio Recorder Deputy: Diane Howey
Index to: DEED, WARRANTY

70133.0002.560519.2

STATE OF IDAHO)
) ss.
County of BLAINE)

On this 4th day of January, 2001, before me, the undersigned, a Notary Public in and for said county and state, personally appeared Archie D. Walker, known or identified to me to be [one of the members/~~one of the managers/ the manager~~] of the limited liability company of Walker Ranch, L.L.C., and [one of the members/one of the managers/the manager] who subscribed said company name to the foregoing instrument, and acknowledged to me that he executed the same in said company name.

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

ADAM B. KING NOTARY PUBLIC STATE OF IDAHO

Adam B. King
Notary Public for Idaho
Residing at Hailey
My commission expires 10-14-03

STATE OF IDAHO)
) ss.
County of BLAINE)

On this 4th day of January, 2001, before me, the undersigned, a Notary Public in and for said county and state, personally appeared Amy C. Walker, known or identified to me to be [one of the members/~~one of the managers/ the manager~~] of the limited liability company of Walker Ranch, L.L.C., and [one of the members/one of the managers/the manager] who subscribed said company name to the foregoing instrument, and acknowledged to me that she executed the same in said company name.

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

ADAM B. KING NOTARY PUBLIC STATE OF IDAHO

Adam B. King
Notary Public for Idaho
Residing at Hailey
My commission expires 10-14-03

EXHIBIT A
G000389

TRACT I:

Township 5 South, Range 12 East of the Boise Meridian, Gooding County, Idaho

Section 9: The East One-Half.

Section 10: The West One-Half of the West One-Half; The Northeast Quarter.

Section 15: The West One-Half; The Southwest Quarter of the Southeast Quarter.

Section 16: The Southeast Quarter of the Southeast Quarter.

Section 21: The Northeast Quarter of the Northeast Quarter; The Southeast Quarter of the Northeast Quarter.

Section 22: The Northwest Quarter; The West One-Half of the Northeast Quarter; The Northeast Quarter of the Southwest Quarter; The West One-Half of the Southwest Quarter AND that part of the Southeast Quarter of the Southwest Quarter and part of the Southwest Quarter of the Southeast Quarter, described as follows:

BEGINNING at the South Quarter section corner of Section 22 of Township 5 South, Range 12 East of the Boise Meridian said corner marked by a U.S. General Land Office pipe with brass cap which shall be the POINT OF BEGINNING;
Thence North 89°56'35" West along the section line for 455.72 feet to a ½" rebar;
Thence on a non-tangent curve to the left for 959.29 feet to a point on the West side of the Southeast Quarter of the Southwest Quarter, said curve having a central angle of 67°23'24" with a radius of 815.60 feet and a long chord bearing of North 73°13'58" West for 904.94 feet;
Thence North 0°07'00" East along the West line of the Southeast Quarter of the Southwest Quarter for 1060.16 feet to the Northwest corner of the Southeast Quarter of the Southwest Quarter;
Thence South 89°57'09" East along the North line of the Southeast Quarter of the Southwest Quarter for 1323.79 feet to a point at the Northeast corner of the Southeast Quarter of the Southwest Quarter;
Thence South 89°59'36" East along the North line of the Southwest Quarter of the Southeast Quarter for 131.61 feet to a ½" rebar;
Thence South 0°09'47" West for 1320.51 feet to a ½" rebar on the South line of the Southwest Quarter of the Southeast Quarter;
Thence South 89°58'30" West along the South line of the Southwest Quarter of the Southeast Quarter for 131.61 feet to the POINT OF BEGINNING.

continued

EXCEPTING THEREFROM that part of the Southwest Quarter of the Northeast Quarter and part of the Northwest Quarter of the Southeast Quarter, described as follows:

BEGINNING at the East Quarter section corner of said Section 22, said corner marked by a 5/8" rebar;
Thence North 89°57'43" West along the North line of the Northeast Quarter of the Southeast Quarter for 1,312.95 feet to the Northeast corner of the Northwest Quarter of the Southeast Quarter which shall be the POINT OF BEGINNING;
Thence South 0°11'44" West along the East line of the Northwest Quarter of the Southeast Quarter for 1,319.86 feet to the Southeast corner of the Northwest Quarter of the Southeast Quarter;
Thence North 89°59'36" West along the South line of the Northwest Quarter of the Southeast Quarter for 1,008.97 feet to a 1/2" rebar;
Thence North 0°09'47" East for 1,649.32 feet to a 1/2" rebar;
Thence South 89°44'18" East for 1,009.90 feet to a 1/2" rebar on the East line of the Southwest Quarter of the Northeast Quarter;
Thence South 0°11'44" West along the East line of the Southwest Quarter of the Northeast Quarter for 324.96 feet to the POINT OF BEGINNING.

AND ALSO EXCEPTING that part of the Southwest Quarter of the Southwest Quarter, described as follows:

BEGINNING at the Southwest corner of Section 22 of Township 5 South, Range 12 East of the Boise Meridian, said corner marked by a U.S. General Land Office pipe with brass cap;
Thence South 89°56'35" East along Section line for 932.76 feet to a 1/2" rebar which shall be the POINT OF BEGINNING;
Thence on a non-tangent curve to the right for 475.74 feet to a point on the East line of the Southwest Quarter of the Southwest Quarter, said curve having a central angle of 33°25'14" with a radius of 815.60 feet with a long chord bearing of North 56°21'43" East for 469.02 feet;
Thence South 0°07'00": West along the East line of the Southwest Quarter of the Southwest Quarter for 260.20 feet to a point at the Southeast

Continued

corner of the Southwest Quarter of the Southwest Quarter;
Thence North 89°56'35" West along Section line for 389.96 feet to the POINT OF BEGINNING.

TRACT II:

Township 5 South, Range 12 East of the Boise Meridian, Gooding County, Idaho

Section 16: The Northeast Quarter of the Southeast Quarter; The Southwest Quarter; The West One-Half of the Southeast Quarter; East One-Half of the Northwest Quarter; The Northeast Quarter; The West One-Half of the Northwest Quarter, **EXCEPT FOR THE FOLLOWING DECRIBED PARCELS:**

Parcel No. 1:

Commencing at the Northwest corner of said Northwest Quarter of the Northwest Quarter;
Thence South 0°22'00" West, 599.67 feet along the Westerly boundary of said Northwest Quarter of the Northwest Quarter to the TRUE POINT OF BEGINNING;
Thence South 0°22'00" West, 300.00 feet along said Westerly boundary to the Northerly right of way boundary of a private road;
Thence South 63°40'06" East, 627.30 feet along the North right of way boundary of said private road;
Thence North 24°30'13" East, 310.90 feet;
Thence West 66°48'15" West, 749.86 feet to the TRUE POINT OF BEGINNING.

Parcel No. 2:

Commencing at the Northwest corner of said West One-Half of the Northwest Quarter;
Thence South 0°22'00" West, 966.41 feet along the Westerly boundary of said West One-Half of Northwest Quarter to the Southerly right of way boundary of a private road and the TRUE POINT OF BEGINNING;
Thence South 0°22'00" West, 364.30 feet along said Westerly boundary;
Thence South 82°16'28" East, 152.25 feet;
Thence North 75°37'20" East, 145.92 feet;
Thence South 72°26'50" East, 441.10 feet;
Thence North 22°51'03" East, 116.68 feet to the Southerly boundary of said private road;
Thence North 63°40'06" West, 843.26 feet along said Southerly right of way boundary to the TRUE POINT OF BEGINNING.

Ridgedale → Walker

PARTNERSHIP DEED G-16485

THIS INDENTURE, made this 21st day of ~~April~~ May, 1990, between CNC-Ridgedale Festival Associates Limited Partnership, Grantor herein, and Archie D. Walker, Jr. and Amy C. Walker, as Trustees of The Walker 1982 Trust, whose address is #1 Clover Creek Rd. Bliss, Idaho 83314, Grantee herein:

WITNESS:

The Grantor having been hereunto duly authorized and for value received, and by these presents does quitclaim and convey unto the Grantee, its successors and assigns, forever, all the real estate situate in Gooding County, State of Idaho, legally described on Exhibit A attached hereto and incorporated herein by reference (the "Premises").

TO HAVE AND TO HOLD, all and singular, the Premises together with the appurtenances unto the said Grantee, its successors and assigns forever.

Grantor covenants and warrants only that it has not placed any lien or other encumbrance against the Premises and has not taken actual possession of or used the Premises in any manner.

IN WITNESS WHEREOF, the Grantor has caused its partnership name to be hereunto subscribed by its General Partner(s).

CNC-RIDGEDALE FESTIVAL ASSOCIATES
LIMITED PARTNERSHIP

By: William J Baker
William J. Baker
Its Managing General Partner

141522

STATE OF IDAHO, COUNTY OF GOODING
Filed for record at the requested Title & Escrow Inc
17 min. past 10 o'clock A M. this 3
of July 1990 Fee $9.00
JOHN A. MYERS, Recorder
By Helen K. Pratt Deputy

STATE OF Minnesota)
) ss.
COUNTY OF Hennepin)

The foregoing was acknowledged before me this 21st day of May, 1990, by William J. Baker the Managing General Partner of CNC-Ridgedale Festival Associates Limited Partnership, a limited partnership under the laws of Texas, and said William J. Baker did affirm that he has been duly authorized to execute and deliver the foregoing deed on behalf of the limited partnership.

JUDITH K. TRAMONS
NOTARY PUBLIC - MINNESOTA
HENNEPIN COUNTY
My Commission Expires
June 1, 1994

Judith K Tramons
Notary Public
My commission expires: 6/1/94

(SEAL)

This instrument was drafted by:
Fredrikson & Byron, P.A. (JoHM)
1100 International Centre
900 Second Avenue South
Minneapolis MN 55402

6869r

EXHIBIT "A"

LEGAL DESCRIPTION

Lawyers Title Insurance Corporation

NATIONAL HEADQUARTERS
RICHMOND, VIRGINIA

SCHEDULE A cont'd.

TOWNSHIP 5 SOUTH, RANGE 12, EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 16: NE¼SE¼, SW¼, W½SE¼, E½NW¼, NE¼, W½NW¼, EXCEPT FOR THE FOLLOWING DESCRIBED PARCELS:

PARCEL NO. 1:

Commencing at the Northwest corner of said NW¼NW¼;
Thence South 0°22'00" West, 599.67 feet along the Westerly boundary of said NW¼NW¼ to THE TRUE POINT OF BEGINNING;
Thence South 0°22'00" West, 300.00 feet along said Westerly boundary to the Northerly right of way boundary of a private road;
Thence South 63°40'06" East, 627.30 feet along the North right of way boundary of said private road;
Thence North 24°30'13" East, 310.90 feet;
Thence West 66°48'13" West, 749.36 feet to THE TRUE POINT OF BEGINNING.

PARCEL NO. 2:

Commencing at the Northwest corner of said W½NW¼;
Thence South 0°22'00" West, 966.41 feet along the Westerly boundary of said W½NW¼ to the Southerly right of way boundary of a private road and THE TRUE POINT OF BEGINNING;
Thence South 0°22'00" West, 364.30 feet along said Westerly boundary;
Thence South 82°16'28" East, 152.25 feet;
Thence North 75°37'20" East, 145.92 feet;
Thence South 72°26'50" East, 441.10 feet;
Thence North 22°51'03" East, 116.68 feet to the Southerly boundary of said private road;
Thence North 63°40'06" West, 843.26 feet along said Southerly right of way boundary to THE TRUE POINT OF BEGINNING.

Harrop Ranch → Ridgedale

CORPORATION WARRANTY DEED G-16485

THIS INDENTURE, made this 30th day of April, 1990, between HARROP RANCH INC., an Idaho Corporation, Grantor herein, and CNC - RIDGEDALE FESTIVAL ASSOCIATES LIMITED PARTNERSHIP, a TEXAS LIMITED PARTNERSHIP, whose address is 601 Lakeshore Parkway Minnetonka, Minnesota 55343, Grantee herein:

WITNESSETH:

The Grantor having been hereunto duly authorized by resolution of its Board of Directors and for value received, has granted, bargained and sold, and by these presents does grant, bargain, sell and convey unto the Grantee, its successors and assigns forever, all the following described real estate situate in Gooding County, State of Idaho, to-wit:

TOWNSHIP 5 SOUTH, RANGE 12, EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO.

Section 16: NE1/4SE1/4, SW1/4, W1/2SE1/4, E1/2NW1/4, NE1/4 W1/2NW1/4, EXCEPT FOR THE FOLLOWING DESCRIBED PARCELS:

PARCEL 1:

Commencing at the Northwest corner of said NW1/4NW1/4;
Thence South 0°22'00" West, 599.67 feet along the Westerly boundary of said NW1/4NW1/4 to THE TRUE POINT OF BEGINNING;
Thence South 0°22'00" West, 300.00 feet along said Westerly boundary to the Northerly right of way boundary of a private road;
Thence South 63°40'06" East, 627.30 feet along the North right of way boundary of said private road;
Thence North 24°30'13" East, 310.90 feet;
Thence West 66°48'15" West, 749.86 feet to THE TRUE POINT OF BEGINNING.

JONES, CHRISTENSEN, JORGENSEN, ROBISON, HOLMES and ROBISON, Chartered
P.O. BOX 837 - 490 WEST WHITMAN
POCATELLO, IDAHO 83204

PARCEL 2:

Commencing at the Northwest corner of said W1/2NW1/4;
Thence South 0°22'00" West, 966.41 feet along the Westerly boundary of said W1/2NW1/4 to the Southerly right of way boundary of a private road and THE TRUE POINT OF BEGINNING;
Thence South 0°22'00" West, 364.30 feet along said Westerly boundary;
Thence South 82°16'28" East, 152.25 feet;
Thence North 75°37'20" East, 145.92 feet;
Thence South 72°26'50" East, 441.10 feet;
Thence North 22°51'03" East, 116.68 feet to the Southerly boundary of said private road;
Thence North 63°40'06" West, 843.26 feet along said Southerly right of way boundary to THE TRUE POINT POINT OF BEGINNING;

excluding any portion of PARCEL 1 and PARCEL 2 which may from time to time be within the Pioneer Reservoir;

Together with 105.98 shares of stock in the Northside Canal Company; and

Together with water and water rights, ditch and ditch rights and all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as inequity, of the Grantor.

Subject to all taxes levied or assessed for 1990 and subsequent years; and

Subject to all assessments of the Northside Canal Company assessed in 1990 and subsequent years.

Subject to the Boundary Agreement and all easements, rights of way, restrictions and reservations in the original patent against said real property of record.

TO HAVE AND TO HOLD, all and singular, the said premises together with the appurtenances unto the said Grantee, its successors and assigns forever.

JONES, CHRISTENSEN, JONSEN, ROBISON, HOLMES and ROBISON, Chartered
P.O. BOX 69 — 48 WEST MAIN
POCATELLO, IDAHO 83204

The Grantor hereby fully warrants the title to the real property above described and will defend such title against all lawful claims of all persons.

IN WITNESS WHEREOF, the Grantor has caused its corporate name to be hereunto subscribed by its President pursuant to said resolution the day and year first above written.

HARROP RANCH, INC.

By _____
President

STATE OF IDAHO)
)ss
County of Bannock)

On this 14th day of May, in the year of 1990, before me LAMONT JONES, personally appeared E. J. HARROP, known or identified to me to be the President of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

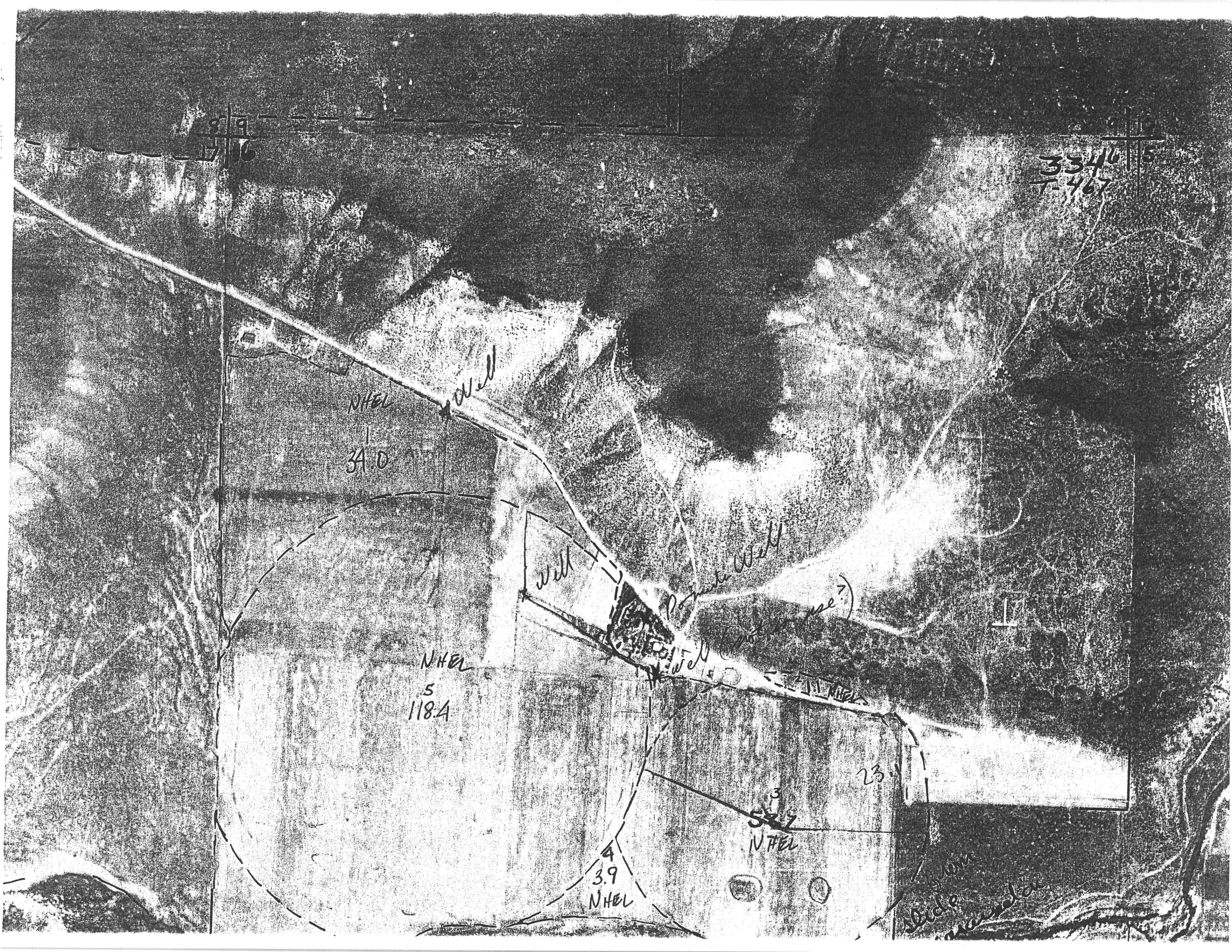
NOTARY PUBLIC STATE OF IDAHO

_____
Notary Public for Idaho
Residing at Pocatello, Idaho
My Commission expires: Nov 7, 1992

141521

STATE OF IDAHO, COUNTY OF GOODING
Filed for record at the request of Land Title & Escrow Inc
16 min. past 10 o'clock A M. this 3
of July, 1990 Fee 9.00
JOHN A. MYERS, Recorder
By Helen K. Piatt Deputy

CORPORATION WARRANTY DEED
0552C


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3.9
NHEL
Side

State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 20, 2002

CHARLES T FOLEY
C/O CLOVER CREEK RANCH
1502 B SOUTH 300 E
BLISS ID 83314

RE: Ownership Change 37-4137, 37- 7194, 37-7381, 37-7761A & 37-7761B

Dear Mr. Foley,

I have completed the ownership changes on the above-mentioned rights and have enclosed copies for your records. Please look them over carefully to see if any corrections are necessary.

Feel free to give me a call at the office if I can be of further assistance or if you have any questions.

Sincerely,

Jeanie Robertson
Sr. Water Resource Agent