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: 37-7761B

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:

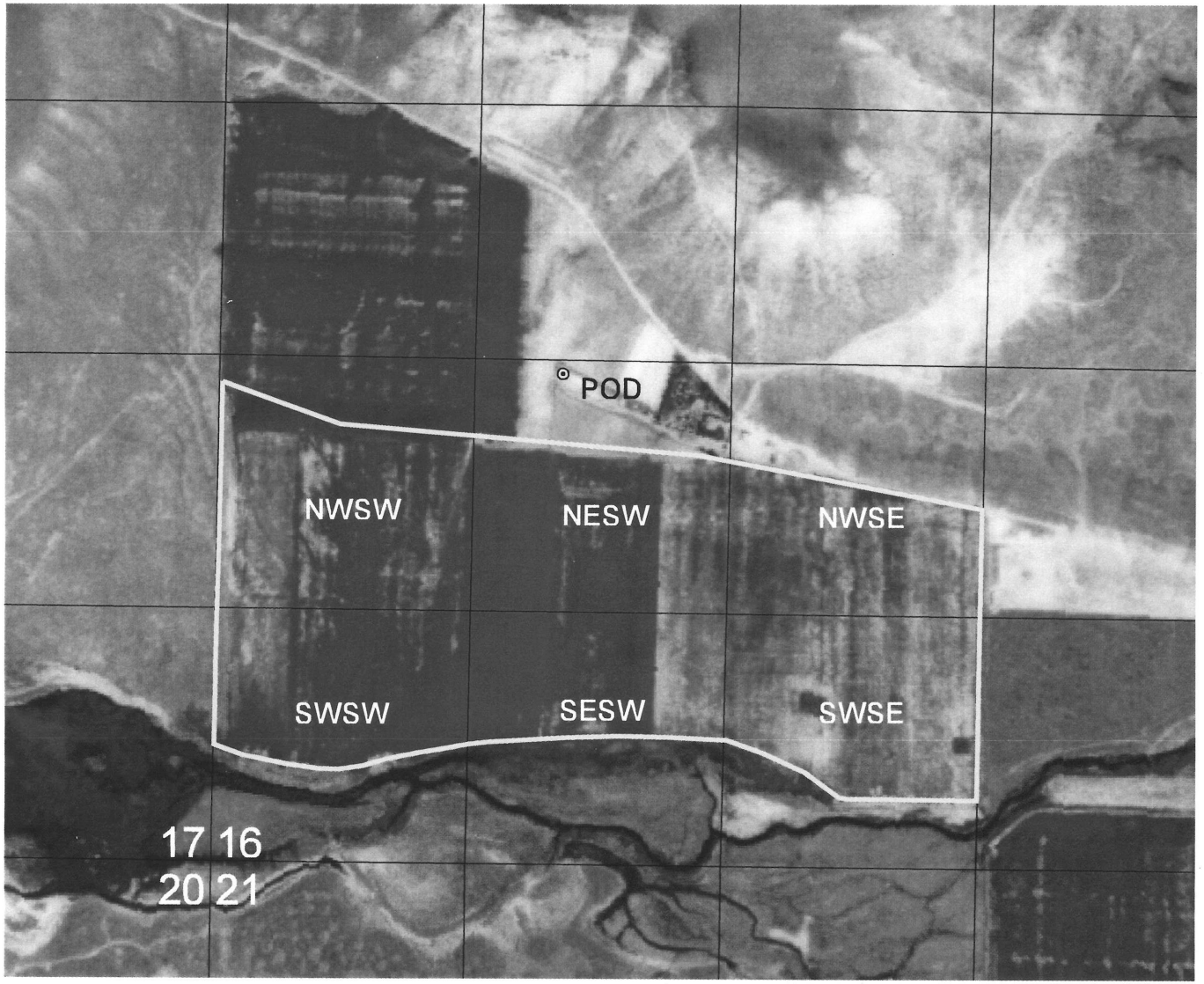
✓ **I AGREE with this proposed recommendation: no changes need to be made.**

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

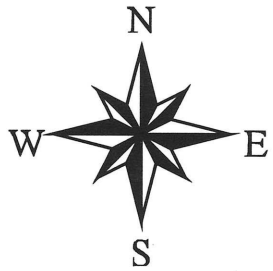
Please print your name: Charles T. Foley

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

37-7761B



T05S R12E
S16



800 0 800 1600 2400 3200 Feet

Map prepared by: Carter Fritschle
Date prepared: 11/02/01
1987-1988 NAPP photography
Idaho Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-7761B

NAME AND ADDRESS: HARROP RANCH INC
1362 W QUINN
POCATELLO ID 83201

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 1.21 CFS
424.0 AFY

USE OF THIS RIGHT WITH RIGHT NO. 37-7381 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: 05/08/1980

POINT OF DIVERSION:

T05S R12E S16 NWNESW Within GOODING County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	1.210 CFS 424.00 AFY

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 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within GOODING County

T05S R12E S16	NESW	26.0	T05S R12E S16	NWSW	30.0
T05S R12E S16	SWSW	23.0	T05S R12E S16	SESW	20.0
T05S R12E S16	NWSE	21.0	T05S R12E S16	SWSE	26.0

146 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 37-7381 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 146 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 106 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: License

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

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 37-7761B
Date Received: 11/2/2001
Receipt No:
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: 05/08/1980

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		NE	SW	GOODING	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	10/31	1.21	

7. Total Quantity Appropriated is:
1.21 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
05S	12E	16	NE	SW		IRRIGATION	24
			NW	SW		IRRIGATION	27
			SW	SW		IRRIGATION	25
			SE	SW		IRRIGATION	22
			NW	SE		IRRIGATION	20
			SW	SE		IRRIGATION	28
						Section Acres	146
						Total Acres	146

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 Clouit 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 _____
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 Hovey
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

EXHIBIT A
G000389-Continued
Page 2

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
47 min. past 10 o'clock A M. this 3
of July 1990 Fee $9.00
JOHN A. MYERS, Recorder
By Helen K. Pratt Deputy

-1-

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. TIMMONS
NOTARY PUBLIC - MINNESOTA
HENNEPIN COUNTY
My Commission Expires
June 3, 1995

Judith K Timmons
Notary Public
My commission expires: 6/3/95

(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°48'15" 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 587 - 495 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, JORGENSEN, ROBISON, HOLMES and ROBISON, Chartered
P.O. BOX 67 - 68 WEST MAIN
ROCKLAND, IDAHO 83271

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.

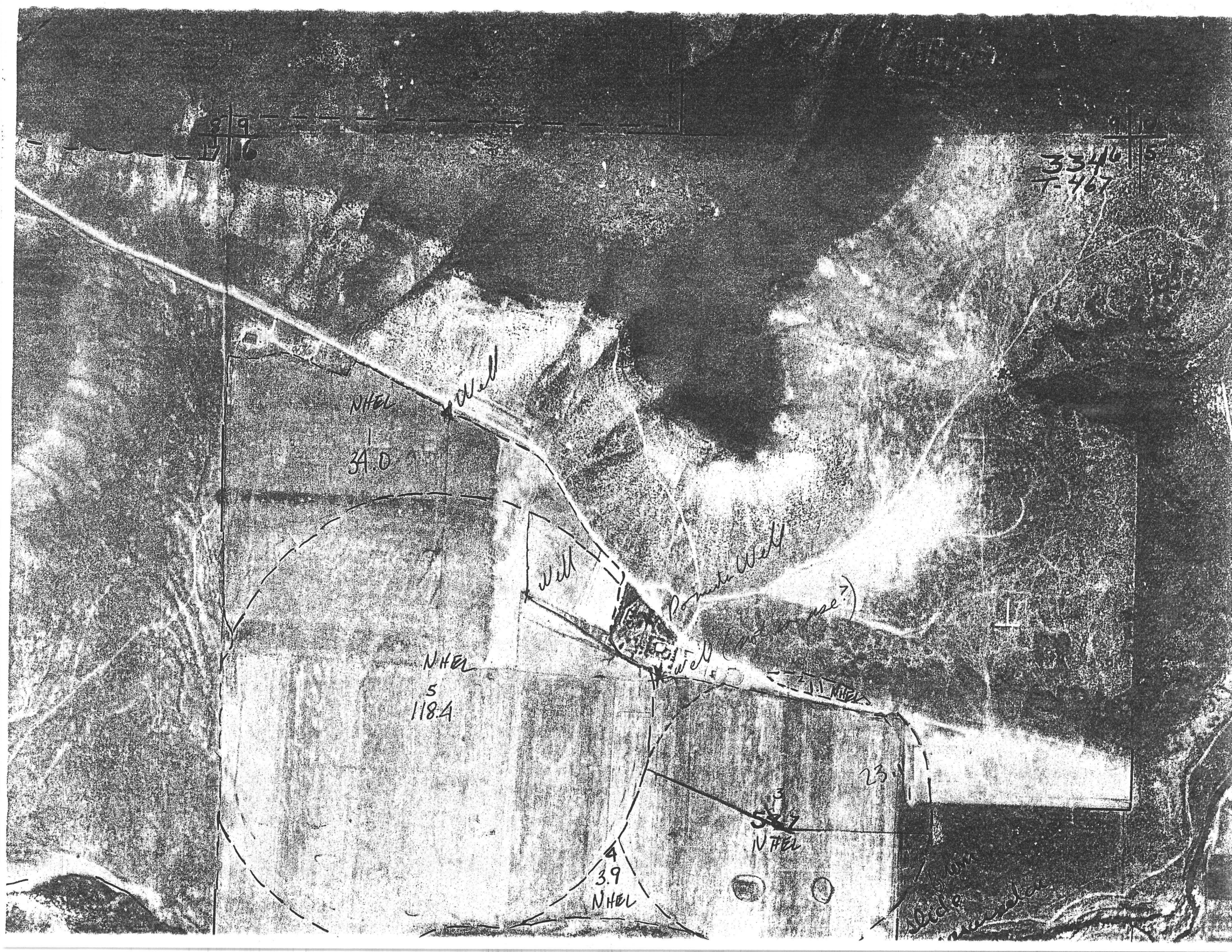
NOTARY PUBLIC

_____
Notary Public for Idaho
Residing at Pocatello, Idaho
My Commission expires: Nov 3, 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. Platt Deputy

CORPORATION WARRANTY DEED
0552C


Well
NHEL
1
34.0
Well
Piezometer Well
(Not in use?)
Well
NHEL
5
118.4
NHEL
23
NHEL
4
3.9
NHEL

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

State of Idaho
Department of Water Resources

RECEIVED
OCT 10 1995
Department of Water Resources
Southern Region

WATER RIGHT LICENSE

WATER RIGHT NO. 37-07761B

Priority: May 8, 1980 **Maximum Diversion Rate:** 1.21 CFS

This is to certify, that HARROP RANCH INC
1362 W QUINN
POCATELLO ID 83201 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 6, 1980; and has submitted Proof of Beneficial Use on March 25, 1985. An examination indicates that the works have a diversion capacity of 1.670 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	04/01 to 10/31	1.21 CFS	

LOCATION OF POINT(S) OF DIVERSION: NESW , Sec. 16, Township 05S, Range 12E
GOODING County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
05S	12E	16	NESW	24	NWSW	27	SWSW	25	
			SESW	22	NWSE	20	SWSE	28	146

Total number of acres irrigated: 146

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. This right uses the same well as Right 37-07381 and when combined with Right 37-07381 is limited to a total combined diversion rate of 1.67 cfs, a total combined annual diversion volume of 584.0 af, and to the irrigation of a combined total of 146 acres in a single irrigation season.
5. This right is limited to the irrigation of 106 acres within the place of use described above in a single irrigation season.
6. This right when combined with Right 37-07381 and all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 4.0 af for the lands above.

37-07761B

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-07761B

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 2ND day of OCTOBER, 1995.

Acting for KARL J. DREHER, Director

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 37-7761B
Date Received: 11/2/2001
Receipt No:
Received By:

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

HARROP RANCH INC Phone: (208)237-8405

1362 W QUINN
POCATELLO ID USA 83201

2. Date of Priority: 05/08/1980

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	NE SW		GOODING	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	10/31	1.21	

7. Total Quantity Appropriated is:
1.21 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
05S	12E	16	NE SW		IRRIGATION	24
			NW SW		IRRIGATION	27
			SW SW		IRRIGATION	25
			SE SW		IRRIGATION	22
			NW SE		IRRIGATION	20

SW	SE	IRRIGATION		28
		Section Acres		146
		Total Acres		146

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