

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 37-2685
Date Received: 10/18/1988
Receipt No: S003032
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CHANEY CREEK RANCH LLC Phone:
C/O ELIZABETH K GRAY
PO BOX 3175
KETCHUM ID USA 83340

Amended
3-17-2010

2. Date of Priority: 12/08/1961

3. Source: GROUND WATER Trib. To

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01S	19E	22	NW NW NW	BLAINE	orig 2685 7284
01S	19E	22	NE NW NE	BLAINE	
01S	19E	22	SW SE NE	BLAINE	R 7284
01S	19E	22	SE NW NE	BLAINE	I 7284
01S	19E	22	NE NE SW	BLAINE	2608

5. Description of diverting works:

Three wells; water from well # 2 is injected into Mud Creek and rediverted to irrigate land on west side of Mud Creek; sprinkler irrigation

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	2.46	698

7. Total Quantity Appropriated is:

2.46 C.F.S. and/or 698 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
01S	19E	22	NW	NE		IRRIGATION	23
			NE	NE		IRRIGATION	38
			SW	NE		IRRIGATION	37
			SE	NE		IRRIGATION	37
			NE	NW		IRRIGATION	38
			NW	NW		IRRIGATION	38
			SW	NW		IRRIGATION	19
			SE	NW		IRRIGATION	40
			NE	SW		IRRIGATION	38
			SE	SW		IRRIGATION	8
			SE	SE		IRRIGATION	27
			SW	SE		IRRIGATION	39 → 38
			NW	SE		IRRIGATION	40
			NE	SE		IRRIGATION	32
Section Acres							454
Total Acres							454

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

1-16-98: CHANGE OF OWNERSHIP STINSON TO CHANEY AND ADDED ATTY SEMANKO PER NOTICE REC'D 9-8-97 - VH

3-17-2010 amendment remarks. Limited to the irrigation of 233 acres within the place of use. 51 acres (23 acres in the SENW and 28 acres in the SWNE) overlap with and are stacked on the same land as 37-7284. 37-2607, 37-2608, 37-2685 and 37-7284 are limited to the irrigation of a combined total of 431 acres in a single irrigation season.

15. Basis of Claim: License

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

CIVIL CASE NUMBER: 39356

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

Ident Number 37-2685

Date Received _____

Receipt Number _____

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

1. Name of Claimant(s): Chaney Creek Ranch LLC
Phone: 1-208-726-5997
Mailing Address: c/o Elizabeth Gray
PO Box 3175
Ketchum, ID 83340

2. Date of Priority: December 8, 1961

3. Source of water supply (a) ground water
which is tributary to (b)

4. a. Location of point of diversion is:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>¼</u>	<u>¼</u>	<u>¼</u>	<u>Lot</u>	<u>County</u>
1S	19E	22	NW	NW	NW	(well #1)	Blaine
1S	19E	22	NE	NW	NE	(well #2)	Blaine
1S	19E	22	SE	NW	NE	(injection)	Blaine
1S	19E	22	SW	SE	NE	(rediversion)	Blaine
1S	19E	22	NE	NE	SW	(well #3)	Blaine

Additional points of diversion if any: (see above)

5. **Description of existing diversion works:** Three wells; water from well #2 is injected into Mud Creek and re-diverted to irrigate land on west side of Mud Creek; sprinkler irrigation

6. **Water is claimed for following purposes:**

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Irrigation	April 1	November 1	2.46 cfs/698 AFA

7. **Total Quantity Claimed:** 2.46 cfs/698 AFA

8. **Total consumptive use claimed is** __ acre feet per annum.

9. **Non-irrigation uses:**

10. **Place of use:**

				<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				
<u>TWP</u>	<u>RGE</u>	<u>SEC</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>TOTALS</u>	
04S	19E	22	38	23	37	37	38	38	19	40	38			8	32	40	39	27	454	
TOTALS				10	33		40	40	20	40									454	

11. **Place of use is located in** Blaine County.

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

13. **Describe any other water rights used at the same place and for the same purposes as described above?**
37-2607, 37-2608, 37-7284..

14. **Remarks:** Limited to the irrigation of 233 acres within the place of use. 51 acres (23 acres in the SENW and 28 acres in the SWNE) overlap with and are stacked on the same land as 37-7284. 37-2607, 37-2608, 37-2685 and 37-7284 are limited to the irrigation of a combined total of 431 acres in a single irrigation season.

15. Basis of Claim: License

IDWR Water Right Number: 37-2685

Court:

Case Number:

Decree Date:

Plaintiff v. Defendant:

16. Signature(s)

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

[For organizations] I do solemnly swear or affirm under penalty of perjury that I am the manager of Chaney Creek Ranch LLC, that I have signed the foregoing document in the space below in such capacity on behalf of the limited liability company and that the statements contained in the foregoing document are true and correct.

CHANEY CREEK RANCH LLC

Signature of Claimant(s)

By:

Elizabeth Gray
Elizabeth Gray, Manager

Date 3/16/10

State of Calif)

Santa) ss.

County of Barbara)

Subscribed and sworn before me this 16 day of March, 2010.

Mary L. Ortega

Notary Public for

Residing at

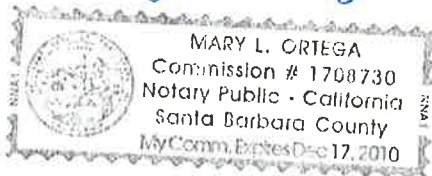
Commission Expires

Mary L. Ortega

1482 East Valley Rd #42

12/17/2010

Monte 50 67
9368



Last Name: Chaney Creek Ranch LLC

37-2685 amended notice of claim.wpd

Ident No. 37-2685

3/11/10

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: **A37-02685**
Date Received: 10/18/1988
Receipt No: S003032
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: CHANEY CREEK RANCH LLC
Address: C/O ELIZABETH K GRAY
PO BOX 4630
KETCHUM ID

83340

2. Date of Priority: DEC 8, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	19E	22	NW	NW	NW		BLAINE

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.460		698.00

7. Total Quantity Appropriated is:
2.460 C.F.S. (and/or) 698.00 A.F.A.

8. Total consumptive use is 492.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01S	19E	22	NW	NE		IRR	10.0
			SW	NE		IRR	33.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	19E	22	SW	NW		IRR	20.0
			SE	NW		IRR	40.0
Section Acres							183.0
Total Acres							183.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
A37-07284

14. Remarks:
1-16-98: CHANGE OF OWNERSHIP STINSON TO CHANEY AND ADDED ATTY
SEMANKO PER NOTICE REC'D 9-8-97 - VH

15. Basis of Claim: LICENSE

Water Right Number: 30898

RECEIVED

SEP 16 1997

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources
Southern RegionPlease print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): 37-02608; 37-02607; 37-02609A; 37-02685; 37-07284
 Adjudication Claim No(s): A37-02608; A37-02607; A37-02609A; A37-02685; A37-07284; A37-11717

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

* A. A copy of the most recent ~~DEED, TITLE POLICY, CONTRACT OF SALE~~ ^{WARRANTY, QUITCLAIM DEED, AND ARTICLES OF ORGANIZATION OF L.L.C.} 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 RALF H STINSON or HARRIET H STINSON
249 BRIDGE RD
HILLSBOROUGH CA 94010

4. New Owner/Claimant(s) CHANEY CREEK RANCH, L.L.C c/o ELIZABETH K GRAY
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address PO BOX 4630
 City, State and ZIP Code KETCHUM ID 83340

New Telephone Number () _____

5. Date you acquired the property AUGUST 6, 1997

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) Elizabeth K Gray

REGISTERED AGENT, CHANEY CREEK RANCH, L.L.C.

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

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

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

Name(s) of Claimant (please print):

RECEIVED

SEP 16 1997

CHANAY CREEK RANCH, L.L.C. c/o ELIZABETH K. GRAY

I/we acknowledge (check one):

Department of Water Resources
Southern Region☐ The attorney formerly representing me has withdrawn and I/we will be representing myself/ourselves.☒ I/we are now represented by the attorney at the address below.NORMAN SEMANKOROSHOLT, ROBERTSON & TUCKERP.O. BOX 1906TWIN FALLS ID 83303-1906Attorney's Phone 208/734-0700

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

A37-02607 A37-02608 A37-02609A _____A37-02685 A37-07284 A37-11717 _____**For Individuals:**

Authorized signature(s) Date _____

For Organizations:I am the REGISTERED AGENT of CHANAY CREEK RANCH, L.L.C., and I

Title

Organization

have signed the foregoing document in the space below as

the REGISTERED AGENT of CHANAY CREEK RANCH, L.L.C.

Title

Organization

Signature of Authorized Agent Elizabeth K. GrayTitle REGISTERED AGENTDate 7/12/97Organization CHANAY CREEK RANCH, L.L.C.

IDWR Use:

Date Received _____

Data Entry _____

2087262922

JUN-30-97 TUE 1:31 PM BRIAN BARSOTTI

FAX NO. 2087262922

P. 2

97 JUL 31 AM 8:52
SECRETARY OF STATE
STATE OF IDAHO**ARTICLES OF ORGANIZATION
LIMITED LIABILITY COMPANY**To the Secretary of State of Idaho,
Statehouse, Boise, Idaho 83720ORIGINAL
COPY

1. The name of the limited liability company is: Chaney Creek Ranch, LLC
2. The address of the initial registered office is: 591 East Avenue, N.
(not a PO Box)
Ketchum, ID 83340 and the name of the initial registered agent at that address is: Elizabeth K. Gray
- Signature of registered agent: X Elizabeth K. Gray
3. The latest date certain on which the limited liability company will dissolve: July 8, 2027
4. Is management of the limited liability company vested in a manager or managers?
☒ Yes ☐ No (check appropriate box)
5. If management is vested in one or more manager(s), list the name(s) and address(es) of at least one initial manager. If management is vested in the members, list the name(s) and address(es) of at least one initial member.
- | <u>Name:</u> | <u>Address:</u> |
|--------------------------|--------------------------|
| <u>Elizabeth K. Gray</u> | <u>P.O. Box 4630</u> |
| <u></u> | <u>Ketchum, ID 83340</u> |
| <u></u> | <u></u> |
| <u></u> | <u></u> |
6. Signature of at least one person listed in #5 above:

X Elizabeth K. Gray

Secretary of State use only

IDAHO SECRETARY OF STATE

07/31/1997 09:00
CK: 1280 CT: 21422 BH: 25908W 4446
1 @100.00 = 100.00 ORGAN LLC

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

ORIGINAL

Brian Barsotti, Esq.
P O Box 10013
Ketchum, Idaho 83340

(Space above this line for Recorder's use)

QUITCLAIM DEED

COPY

FOR VALUE RECEIVED, PLAZA PLACE CORPORATION, a Colorado corporation, whose address is c/o Kemmerer Resources, P O Box 9, Chatham, New Jersey, 07928, does hereby convey, remise, release and forever quitclaim unto CHANEY CREEK RANCH, L.L.C., an Idaho limited liability company, whose address is c/o Elizabeth K. Gray, P O Box 4630, Ketchum, Idaho, 83340, all its right, title and interest in and to the real property situated in Blaine County, Idaho, described as follows:

See Exhibit "A" attached hereto and made a part hereof,

to have and to hold said real property, with its improvements, appurtenances, tenements and hereditaments unto CHANEY CREEK RANCH, L.L.C., and to its successors and assigns forever.

DATED this 6th day of August, 1997.

PLAZA PLACE CORPORATION, a
Colorado corporation

404650

Deed

BLAINE CO. REQUEST

OF: Brian Barsotti

By

Jeffrey S. Hall
Jeffrey S. Hall,
Its President

'97 AUG 6 PM 1 25

MARY GREEN, CLERK *ms*

FEES \$ 9⁰⁰

STATE OF NEW JERSEY)
) ss.:
County of Morris)

On this 6th day of August, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared **JEFFREY S. HALL**, 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.

WITNESS my hand and seal the day and year in this certificate first above written.

Anne P. Gosnell
Notary Public for New Jersey
Residing at Plainfield
Commission expires: 2000

realest\plaza.qcd



Legal Description
Order No. 20205

Exhibit "A"

A parcel of land encompassing a portion of the N1/2, Section 22, Township 1 South, Range 19 East, Boise Meridian, Blaine County, Idaho, more particularly described as follows:

Commencing at an aluminum cap by L.S. 792 marking the west one-quarter corner of said Section 22, which point is the Real Point of Beginning: thence North 0° 18' 59" West 2640.83 feet along the west boundary of said Section 22 to a point on the south boundary of Idaho State Highway No. 20 fifty (50) feet south of Highway centerline station 233 + 53.91; thence North 89° 49' 17" East 2246.89 feet along said highway south boundary fifty (50) feet south of said centerline to a Highway R.O.W. Monument at Highway centerline station 256 + 00; thence South 87° 18' 56" East 200.26 feet to a Highway R.O.W. Monument sixty (60) feet south of said Highway to centerline station 258 + 00; thence North 89° 49' 16" East 2838.55 feet along said Highway south boundary to a point sixty (60) feet south of said Highway centerline station 286 + 40.68 on the east boundary of said Section 22; thence South 0° 13' 46" East 2626.14 feet along said east boundary of Section 22 to the east one-quarter corner of Section 22; thence South 89° 46' 14" West 5281.42 feet along the south boundary of said N1/2, Section 22 to the point of beginning. Also subject to a possible prescriptive use easement by Blaine County covering the west one-half of Punkin Center Lane on the east boundary of said parcel and being approximately twenty-five (25) feet in width.

and

Township 1 South, Range 19 East, Boise Meridian, Blaine County, Idaho.

Section 22: E1/2SW1/4 and the SE1/4.

ACCEPTED & APPROVED BY: J. H. Kemmerer

WARRANTY DEED

CCPY

This indenture made this 8th day of July, 1997, by and among (i) HARRIETT HILLS STINSON, as Trustee of Trust A under that certain Trust Agreement dated February 15, 1989 between Ralf H. Stinson and Harriett Hills Stinson, as Trustors, and Ralf H. Stinson as (initial) Trustee (the "Trust Agreement"), as to a thirty-five percent (35%) undivided interest, (ii) HARRIETT HILLS STINSON, as Trustee of Trust B Qualified Non-Exempt Marital Trust (Trust B-1) under said Trust Agreement, as to a thirty-five percent (35%) undivided interest, (iii) RALF HALE STINSON II, as his sole and separate property, as to an undivided thirty percent (30%) interest, collectively referred to as "Grantors," and (iv) PLAZA PLACE CORPORATION, a Colorado corporation, the "Grantee," whose complete mailing address is c/o Kemmerer Resources, P.O. Box 9, Chatham, New Jersey 07928.

WITNESSETH:

For valuable consideration the Grantors do hereby grant and convey to the Grantee the following described real property situate in the County of Blaine, State of Idaho, to wit:

Described on attached EXHIBIT A.

TOGETHER WITH the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining;

SUBJECT TO:

The matters described or referred to on attached EXHIBIT B

TO HAVE AND TO HOLD the said premises unto the Grantee and its successors and assigns forever.

The Grantors covenant with the Grantee and its successors and assigns, that Grantee shall enjoy the quiet and peaceful possession of said premises; that the Grantors are lawfully seized of said premises in fee simple; and the Grantors warrant that the title to said premises is merchantable and is free from all liens and encumbrances, excepting those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee, and that the Grantors will warrant and defend the same from all other lawful claims whatsoever.

IN WITNESS WHEREOF, this Warranty Deed has been duly executed by the Grantors as of the day and year herein first above written.


HARRIETT HILLS STINSON, Trustee of
Trust A aforesaid


HARRIETT HILLS STINSON, Trustee of
Trust B-1 aforesaid


RALF HALE STINSON II

State of California

County of

SAN MATEO

On

7/8/1997
DATE

before me,

C.G. WILSON - NOTARY PUBLIC
NAME, TITLE OF OFFICER - E.G., JANE DOE, NOTARY PUBLIC

personally appeared

Harriett Hills Stinson
NAME(S) OF SIGNER(S)

☐ personally known to me - OR - ☒

proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that ~~he/she/it~~ executed the same in ~~his/her/its~~ authorized capacity(ies), and that by ~~his/her/its~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



C. G. Wilson
SIGNATURE OF NOTARY

OPTIONAL SECTION

CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

☐ INDIVIDUAL

☐ CORPORATE OFFICER(S)

TITLE(S)

☐ PARTNER(S)

☐ LIMITED

☐ GENERAL

☐ ATTORNEY-IN-FACT

☒ TRUSTEE(S)

☐ GUARDIAN/CONSERVATOR

☐ OTHER: _____

SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)

Trust A and Trust B-1 of Trust Agreement dated 2/15/89 (see Deed)

OPTIONAL SECTION

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

TITLE OR TYPE OF DOCUMENT

WARRANTY DEED

NUMBER OF PAGES

6

DATE OF DOCUMENT

7-8-97

SIGNER(S) OTHER THAN NAMED ABOVE

Ralf Hale Stinson II

State of California)

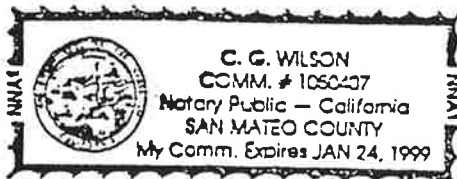
County of SAN MATEO)

On 7-8-1997 before me, C. G. Wilson - Notary Public
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared Ralf Hale Stinson II
NAME(S) OF SIGNER(S)

☐ personally known to me - OR - ☒

proved to me on the basis of satisfactory evidence to be the person() whose name() is/ ~~is~~ subscribed to the within instrument and acknowledged to me that he/~~she~~ they executed the same in his/~~her~~ their authorized capacity(ies), and that by his/~~her~~ their signature() on the instrument the person(), or the entity upon behalf of which the person() acted, executed the instrument.



WITNESS my hand and official seal.

C. G. Wilson
SIGNATURE OF NOTARY

OPTIONAL SECTION

CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

☒ INDIVIDUAL

☐ CORPORATE OFFICER(S)

TITLE(S)
☐ PARTNER(S) ☐ LIMITED
☐ GENERAL

☐ ATTORNEY-IN-FACT

☐ TRUSTEE(S)

☐ GUARDIAN/CONSERVATOR

☐ OTHER: _____

SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)
Self

OPTIONAL SECTION

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

TITLE OR TYPE OF DOCUMENT BILL OF SALE

NUMBER OF PAGES 6 DATE OF DOCUMENT July 8, 1997

SIGNER(S) OTHER THAN NAMED ABOVE Harriet Hills Stinson, Trustee

Legal Description
Order No. 20205

Exhibit "A"

A parcel of land encompassing a portion of the N1/2, Section 22, Township 1 South, Range 19 East, Boise Meridian, Blaine County, Idaho, more particularly described as follows:

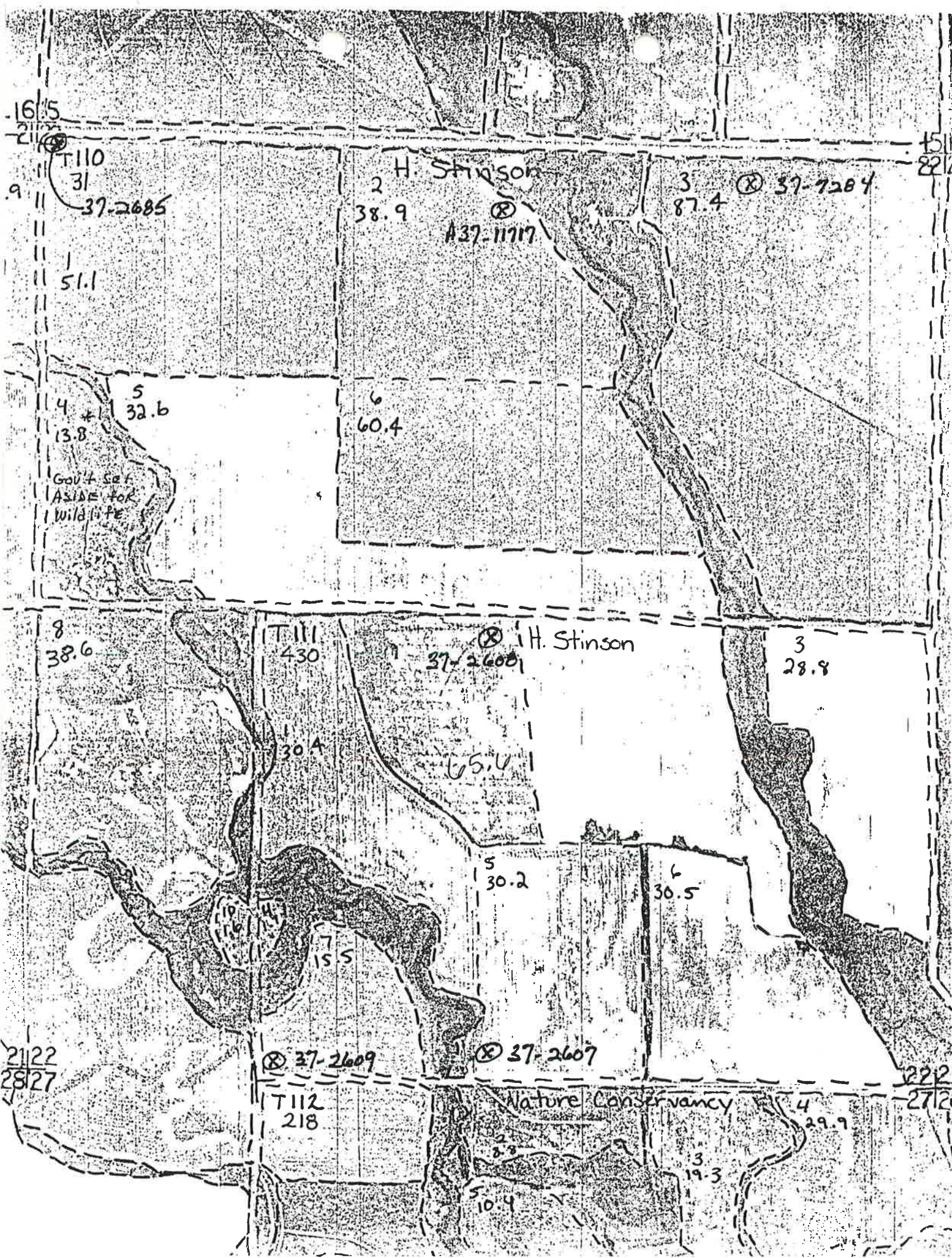
Commencing at an aluminum cap by L.S. 792 marking the west one-quarter corner of said Section 22, which point is the Real Point of Beginning: thence North 0° 18' 59" West 2640.83 feet along the west boundary of said Section 22 to a point on the south boundary of Idaho State Highway No. 20 fifty (50) feet south of Highway centerline station 233 + 53.91; thence North 89° 49' 17" East 2246.89 feet along said highway south boundary fifty (50) feet south of said centerline to a Highway R.O.W. Monument at Highway centerline station 256 + 00; thence South 87° 18' 56" East 200.26 feet to a Highway R.O.W. Monument sixty (60) feet south of said Highway to centerline station 258 + 00; thence North 89° 49' 16" East 2838.55 feet along said Highway south boundary to a point sixty (60) feet south of said Highway centerline station 286 + 40.68 on the east boundary of said Section 22; thence South 0° 13' 46" East 2626.14 feet along said east boundary of Section 22 to the east one-quarter corner of Section 22; thence South 89° 46' 14" West 5281.42 feet along the south boundary of said N1/2, Section 22 to the point of beginning. Also subject to a possible prescriptive use easement by Blaine County covering the west one-half of Punkin Center Lane on the east boundary of said parcel and being approximately twenty-five (25) feet in width.

and

Township 1 South, Range 19 East, Boise Meridian, Blaine County, Idaho.

Section 22: E1/2SW1/4 and the SE1/4.

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. Unpatented mining claims; reservations or exceptions in patents or in acts authorizing the issuance thereof; water rights, claims, or title to water.
6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.
7. Other matters of record in the public records of Blaine County, Idaho.
8. General taxes for the year 1997, a lien, not yet due or payable (to be prorated).
9. Reservations and Exceptions as set forth in that certain Warranty Deed recorded January 28, 1970, as Instrument No. 134900, records of Blaine County, Idaho.
10. Easements, Restrictions, Rights-of Way, conditions and Exceptions as set forth in that certain Deed recorded April 30, 1981, as Instrument No. 214435 and Amendment recorded as Instrument No. 242427, records of Blaine County, Idaho.
11. Baseline Biological Study recorded October 29, 1982, as Instrument No. 232066, records of Blaine County, Idaho.
12. Road and Fence encroachment as shown on that certain Survey recorded December 18, 1990, as Instrument No. 326339, records of Blaine County, Idaho.
13. Matters as shown on that certain survey, recorded August 28, 1996, as Instrument No. 393752, records of Blaine County, Idaho.
14. Rights of others in and to the Pumpkin Center Road.



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: A37-02685
Date Received: 10/18/1988
Receipt No: S003032
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RALF H. STINSON 415-343-3177
Address: 249 BRIDGE RD.
HILLSBOROUGH, CA 94010

OR
Name: HARRIET H. STINSON 415-343-3177
Address: 249 BRIDGE RD.
HILLSBOROUGH, CA 94010

2. Date of Priority: DEC 08, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	19E	22	NW	NW	NW		BLAINE

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.460		698.00

7. Total Quantity Appropriated is:
2.460 C.F.S. (and/or) 698.00 A.F.A.

8. Total consumptive use is 492.0 Acre Feet Per Annum.

9. Non-irrigation uses:

COPY

MICROFILMED
FEB 23 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01S	19E	22	NW		NE		IRR	10.0
			SW		NE		IRR	33.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	20.0
			SE		NW		IRR	40.0
							Section Acres	183.0
							Total Acres	183.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
A37-07284

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 30898

COPY

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: 1

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): Ralf H. Stinson Date: 10 October 1988

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 18th day
of October 19 88

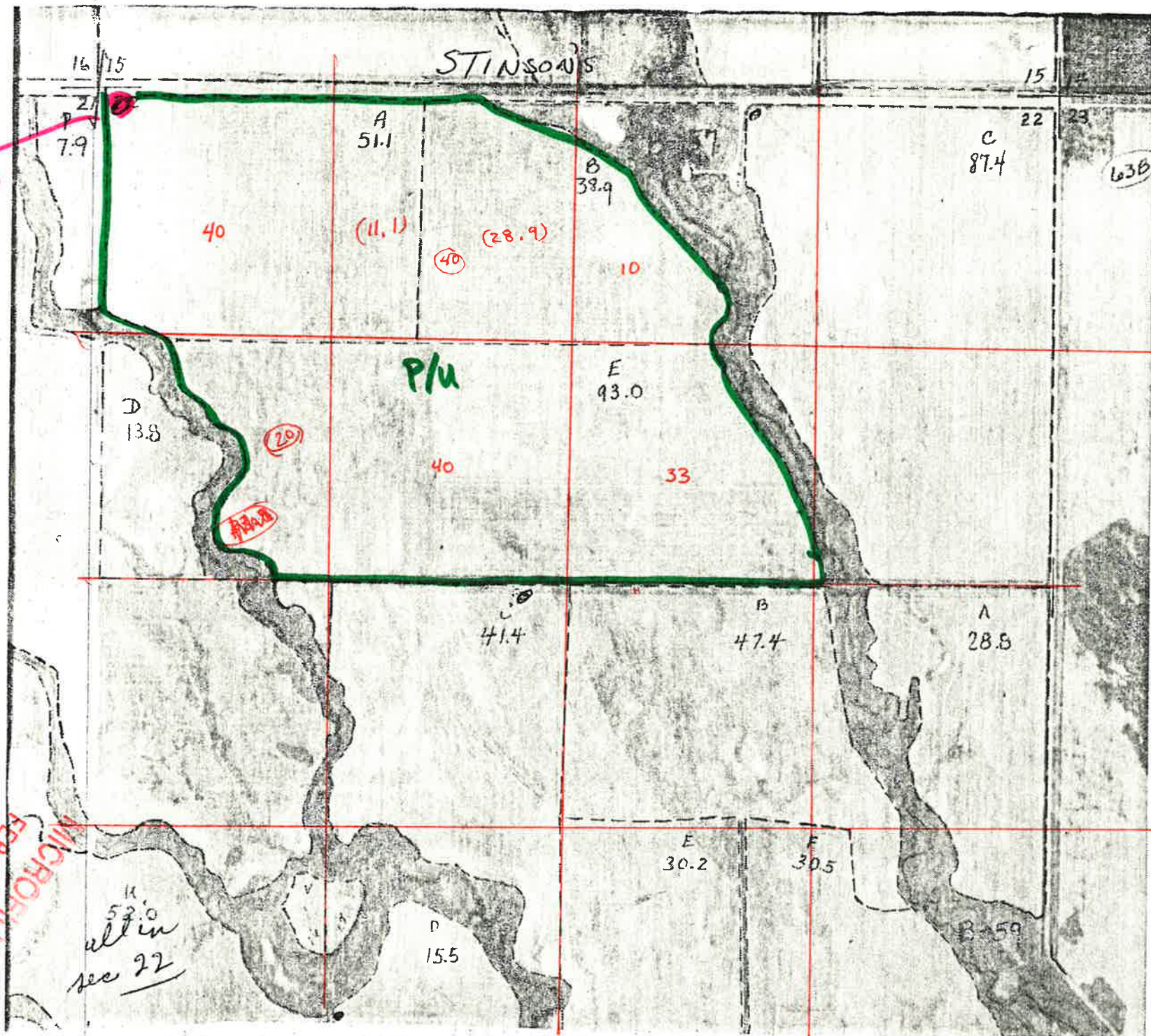
Roxanne Storey
Notary Public

Seal

Residing at Buhl, ID
My Commission Expires 6-30-94

COPY

MICROFILMED
FEB 23 1993



A37-02685

04/09/2010

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-2685

NAME AND ADDRESS: CHANEY CREEK RANCH LLC
C/O ELIZABETH K GRAY
PO BOX 3175
KETCHUM ID 83340

ADR KKC
4-12-10

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.460 CFS
698.00 AFY

The rights listed below are limited to a total combined annual diversion volume of 1,487.5 af. Combined Right Nos.: 37-7284, 37-2685, and 37-2608.

PRIORITY DATE: 12/08/1961

POINT OF
DIVERSION:

T01S R19E S22 NENWNE Within BLAINE County
T01S R19E S22 SENWNE Injection Within BLAINE County
T01S R19E S22 SWSENE Rediversion Within BLAINE County
T01S R19E S22 NWNWNW Within BLAINE County
T01S R19E S22 NENESW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	2.460 CFS 698.00 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T01S R19E S22	NENE	<u>38.00</u> ~~39~~	T01S R19E S22	NWNE	<u>23.00</u> ~~16~~
T01S R19E S22	SWNE	<u>37.00</u> ~~29~~	T01S R19E S22	SENE	<u>37.00</u> ~~33~~
T01S R19E S22	NENW	38.00	T01S R19E S22	NWNW	<u>38.00</u> ~~35~~
T01S R19E S22	SWNW	<u>19.00</u> ~~11~~	T01S R19E S22	SENW	40.00
T01S R19E S22	NESW	<u>38.00</u> ~~31~~	T01S R19E S22	SESW	<u>8.00</u> ~~2.5~~
T01S R19E S22	NESE	<u>32.00</u> ~~23~~	T01S R19E S22	NWSE	<u>40.00</u> ~~37~~
T01S R19E S22	SWSE	<u>39.00</u> ~~22~~	T01S R19E S22	SESE	<u>27.00</u> ~~20~~

454 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 431 acres in a single irrigation season. Combined Right Nos.: 37-2607, 37-7284, 37-2685, and 37-2608.

The rights listed below are limited to the irrigation of a combined total of 425 acres in a single irrigation season. Combined Right Nos.: 37-7284, 37-2685, and 37-2608.

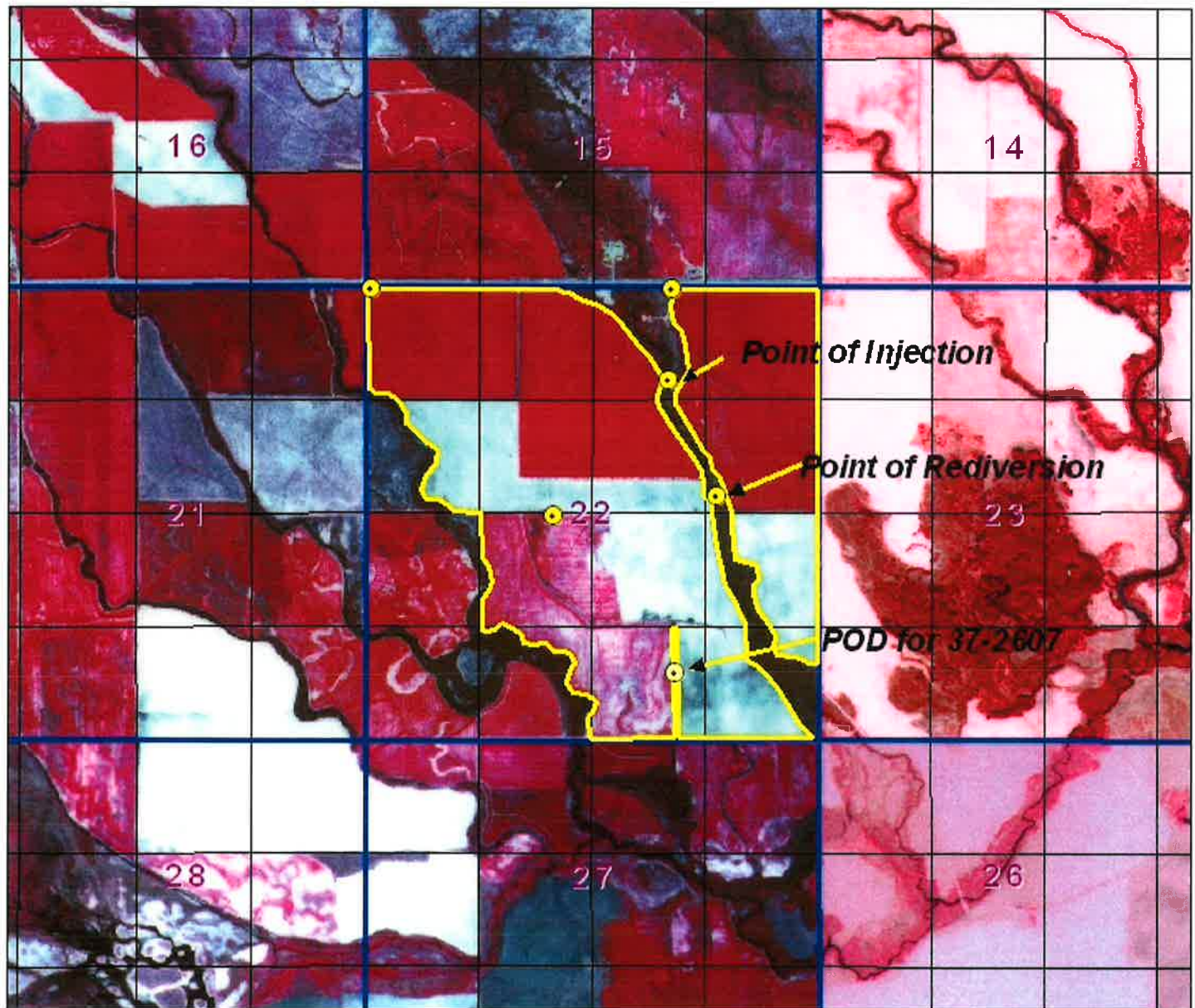
This right is limited to the irrigation of 233 acres within the place of use described above in a single irrigation season.

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: BASIS OF CLAIM - License

RECOMMENDED PLACE OF USE FOR 37-2607, 37-2608, 37-2685, and 37-7284



PLACE OF USE
TWP 01S, RNG 19E, SEC 22
Data Entry on April 9, 2010

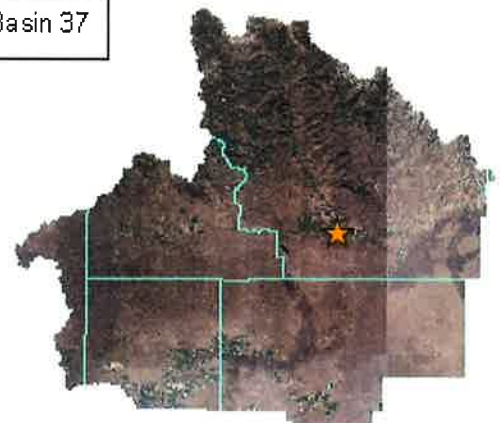
★ LOCATION IN BASIN

- Recommended point of diversion
- Recommended place of use
- Township lines
- Section lines
- Quarter/quarter lines

GIS PLACE OF USE PRESENTATION
1987/1988 NAPP PHOTOGRAPHY
BY KELLY K CHRISTENSEN



Basin 37



Christensen, Kelly

From: Jim Speck [jim@speckandaanestad.com]
Sent: Thursday, April 08, 2010 4:32 PM
To: Christensen, Kelly
Cc: Bromley, Chris; 'Peter Gray'; 'Betty Gray'; dpowers@kemmerer-resources.com
Subject: Re: Chaney Creek/Water Rights - 37-2685
Attachments: deeds to Stinson.pdf; 1947 deed to Loveland.pdf; 1973 deed from Loveland to Rogers.pdf; 1981 deed from TNC to Stinson.pdf; permit assignments.pdf; amendment of permit.pdf; application for permit.pdf; well driller report deepened.pdf

Kelly,

I believe I have the information and documents you need to recommend all of this right to the PPU. This is what appears to have happened.

1. On July 27, 1961, Veral Loveland filed the application for permit (copy attached) identifying only lands in S.22 for the place of use. At that time he did own the SW1/4 of S.15 having acquired it in 1947 per the attached deed.
2. On September 16, 1965 Loveland filed an amendment to the permit to add the land in S. 15 (copy attached).
3. On May 12, 1969 Loveland assigned the entire permit to Boise Cascade Properties. On May 19, 1969, Loveland recorded a deed to the N1/2 of S.22 conveying it to Boise Cascade Properties who, in turn, by the very next recorded instrument, conveyed that land to the Stinson's. Then on June 12, 1969 Boise Cascade Properties assigned the entire permit to the Stinson's. The deeds and assignments together with correspondence related to the assignments from your backfile are attached.
4. In July 1969 Stinson had the well deepened per the attached well driller report.
5. The field exam was conducted in July 1970 and the license issued in October 1972. During this time Loveland remained the owner of the SW1/4 of S.15. I can only conclude that Stinson made arrangements with Loveland to continue to irrigate the Loveland land in S.15 using this water right. Of course I have not located a lease or other document that says this but it appears to be the only logical result! Furthermore, the State highway now known as Hwy 20 was built on the Section line between 15 and 22 in 1970 according to an agent with ITD in Shoshone (Steve ?) making it impractical to continue to irrigate and farm the lands in S. 15 with the well located in S.22.
6. In 1973 Loveland conveyed the SW1/4 of S.15 to Dean R. Rogers, Inc., who remains the owner of those lands today. A copy of the deed is attached. Note the exception for the right-of-way for the new State road.
7. In 1981 Stinson acquired the remaining portion of what is now the Chaney Creek Ranch from The Nature Conservancy (TNC). A copy of that deed is attached.
8. In 1983 Rogers filed for a new water right for lands including the S1/2SW1/4 of S.15 (37-8091). Rogers never obtained ownership of any portion of 37-2685 so he was not able to use that water. Sometime after Stinson's acquired the land from TNC he moved the portion of 37-2685 originally licensed to the S.15 lands to irrigate a portion of this new part of the ranch.

Hopefully you will find this persuasive! Call me tomorrow with any questions.

Jim

James P. Speck
SPECK & AANESTAD
A Professional Corporation
120 East Avenue
P.O. Box 987
Ketchum, ID 83340
208.726.4421
208.726.0752 (fax)
jim@speckandaanestad.com

CONFIDENTIAL COMMUNICATION

This email message and any attachments are intended only for the use of the addressee named above and may contain information that is privileged and confidential. If you are not the intended recipient, any dissemination, distribution, or copying is strictly prohibited. If you received this email message in error, please immediately notify the sender by replying to this email message or by telephone. Thank you.

No. 132563

104941 (at)

WARRANTY DEED

VERAL LOVELAND ET UX TO BOISE-CASCADE PROPERTIES, INC.

THIS INDENTURE, made this 24th day of April, 1969 between VERAL LOVELAND and IONE LOVELAND, his wife of - - , County of BLAINE, State of IDAHO, the parties of the first part and BOISE-CASCADE PROPERTIES, INC., a Nevada Corporation of - - , County of - - , State of - - , the parties of the second part,

WITNESSETH, that the said parties of the first part, for and in consideration of the sum of - - Dollars lawful money of the United States of America, to - - in hand paid by the parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained, sold, and by these presents, do grant, bargain, sell and convey and confirm unto the parties of the second part, and to their heirs and assigns, forever, all the following described real estate, situated in - - , County of Blaine, State of Idaho, to-wit:

Township 1 South of Range 19 East of the Boise Meridian, Blaine County, State of Idaho:
Section 22: N².

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

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

IN WITNESS WHEREOF, the said parties of the first part have hereunto set our hand and seal the day and year first above written.

Executed and Delivered in the Presence of

Veral Loveland (SEAL)

Ione Loveland (SEAL)

STATE OF IDAHO, }
County of Camia } ss.

On this 12th day of May in the year 1969, before me Peter G. Snow, a Notary Public in and for said State, personally appeared Veral Loveland and Ione Loveland, Husband and Wife known to me to be the persons whose names - - subscribed to the within instrument, and acknowledged to me that they executed the same.

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

(SEAL)

Peter G. Snow
Notary Public for the State of Idaho,
Residing at Burley, Idaho.

Filed for record at the request of Land Title Guaranty Company at 11:00 o'clock A. M., May 19, 1969.

George F. McCoy, Ex-Officio Recorder

By Hazel Barber, Deputy

No. 132564

CORPORATION WARRANTY DEED

BOISE CASCADE PROPERTIES, INC. TO RALF H. STINSON ET UX

THIS INDENTURE, Made this 1st day of May, in the year of our Lord one thousand nine hundred and sixty-nine between BOISE CASCADE PROPERTIES, INC., a Nevada corporation a corporation duly organized and existing under the laws of the State of Nevada and having its principal office in Idaho at the Bank of Idaho Building in the County of Ada, party of the first part, and RALF H. STINSON AND HARRIET H. STINSON, his wife, as Joint Tenants of - - , County of - - , State of - - party of the second part,

WITNESSETH, That the said party of the first part, having been hereto duly authorized by resolution of its Board of Directors, for and in consideration of the sum of - - DOLLARS, lawful money of the United States of America, to it in hand paid by the said part-- of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said part-- of the second part, and to - - heirs and assigns forever, all the following described real estate situated in - - , County of Blaine State of Idaho, to-wit:

Township 1 South of Range 14 East of the Boise Meridian, Blaine County, State of Idaho:

Section 22: N/2.

TOGETHER With 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 in equity, of the said party of the first part.

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

IN WITNESS WHEREOF, The party of the first part has caused its corporate name to be hereunto subscribed by its Vice President and its corporate seal to be affixed by its Assistant Secretary in pursuance to said resolution the day and year first above written.

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

Linda K. Nered
E. A. Burden
Ethel T. Diver

(SEAL)

Jude Mettinger

BOISE CASCADE PROPERTIES, INC.,
a Nevada corporation

By R. W. Halliday
Its Vice President.

Attest E. P. Swain Jr.
Its Assist. Secretary.

STATE OF IDAHO, }
COUNTY OF ADA } ss.

On this 14th day of May in the year 1960, before me Gale J. Lee, a Notary Public in and for the said State, personally appeared R. W. HALLIDAY known to me to be the Vice President 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.

(SEAL)

Gale J. Lee
Notary Public for the State of Idaho,
Residing at Boise, Idaho.
My commission expires 11-15-61

Filed for record at the request of Land Title Guaranty Company at 1:10 o'clock A. M., May 19, 1960.

George F. Foley, Ex-Officio Recorder
By Hazel Barber, Deputy

No. 152566

WARRANTY DEED

MARIONNE MCCOY TO OWEN T. STAPLETON ET UX

FOR VALUE RECEIVED, Marionne McCoy, a widow, the Grantor, does hereby grant, bargain, sell and convey unto OWEN T. STAPLETON and PEARL A. STAPLETON, husband and wife Grantees, the following described premises, in Blaine County, Idaho, to-wit:

TOWNSHIP 2 NORTH of RANGE 14 EAST of the Boise Meridian, Blaine County, State of Idaho:

Section 4: A parcel of land in the SW 1/4 designated as Tax Lot 257 on Blaine County

WARRANTY DEED

For Value Received

VERAL LOVELAND and IONE LOVELAND, husband and wife

Hereinafter called the grantor, hereby grants, bargains, sells and conveys unto
DEAN R. ROGERS, INC. Bellevue, Idaho

whose address is:

Twin Falls County, Idaho.

Hereinafter called the grantee, the following described premises, in
to-wit:

Township 1 South, Range 19 East, B.M., Blaine County, Idaho
Section 15: SW $\frac{1}{4}$, EXCEPT a parcel of land being on both sides
of the center line of State Highway No. 68 Project No. S-2809(13)
Highway Survey as shown on the plans thereof now on file in the
office of the Department of Highways of the State of Idaho, and
being a portion of the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 15, Township 1 South,
Range 19 East, B.M., described as follows, to-wit:
BEGINNING at the Southwest corner of the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 15,
Township 1 South, Range 19 East, B.M.

THENCE North 89°27'01" East along the South line of said S $\frac{1}{2}$ SW $\frac{1}{4}$,
a distance of 2647.0 feet, more or less, to the South-
east corner thereof;

THENCE North 0°48'16" West along the East line of said S $\frac{1}{2}$ SW $\frac{1}{4}$,
a distance of 87.86 feet to a point in a line parallel
with and 50.0 feet Northerly from the center line
and opposite Station 260+00.45 of said State Highway
No. 68, Project No. S-2809(13) Highway Survey;

THENCE South 89°27'59" West along said parallel line 260.45
feet to a point opposite Station 258+00 of said High-
way Survey;

THENCE South 86°36'12" West - 200.26 feet to a point in a
line parallel with and 50.0 feet Northerly from the
center line and opposite Station 256+00 of said Highway
Survey;

continued

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee
and to the Grantee's heirs and assigns forever. And the said Grantor does hereby
covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises;
that they are free from all incumbrances except as described above and that Grantor will warrant
and defend the same from all lawful claims whatsoever.

Dated: October 18, 1973

VERAL LOVELAND

IONE LOVELAND,

STATE OF Idaho, COUNTY OF Blaine
On this 22th day of October, 1973,
before me, a notary public in and for said State, per-
sonally appeared

VERAL LOVELAND and IONE
LOVELAND, husband and wife

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

Notary Public
Residing at Bellevue, Idaho
Comm. Expires March 1977

STATE OF IDAHO, COUNTY OF Blaine
I hereby certify that this instrument was filed for recording
the request of Woodman Realty

at 1:00 minutes past 2 o'clock P. M.
this 26 day of October
1973 in my office, and duly recorded in Book
of Deeds at page

De-Office Recorder

By _____ Deputy

Fees \$ 3.00

Mail to _____

WARRANTY DEED

For Value Received

VERAL LOVELAND and LONE LOVELAND, husband and wife

Hereinafter called the grantor, hereby grants, bargains, sells and conveys unto
DEAN R. ROGERS, INC. Bellevue, Idaho

whose address is:

Twin Falls

Hereinafter called the grantee, the following described premises, in _____ County, Idaho,
to-wit:

Township 1 South, Range 19 East, B.M., Blaine County, Idaho
Section 15: SW $\frac{1}{4}$, EXCEPT a parcel of land being on both sides
of the center line of State Highway No. 66 Project No. S-2802(13)
Highway Survey as shown on the plans thereof now on file in the
office of the Department of Highways of the State of Idaho, and
being a portion of the SE $\frac{1}{4}$ of Section 15, Township 1 South,
Range 19 East, B.M., described as follows, to-wit:
BEGINNING at the Southwest corner of the SE $\frac{1}{4}$ of Section 15,
Township 1 South, Range 19 East, B.M.

THENCE North 89°27'01" East along the South line of said SE $\frac{1}{4}$,
a distance of 2647.0 feet, more or less, to the South-
east corner thereof;

THENCE North 0°48'16" West along the East line of said SE $\frac{1}{4}$,
a distance of 87.88 feet to a point in a line parallel
with and 68.0 feet Northerly from the center line
and opposite Station 259+00.45 of said State Highway
No. 66, Project No. S-2802(13) Highway Survey;

THENCE South 89°27'59" West along said parallel line 200.45
feet to a point opposite Station 259+00 of said High-
way Survey;

THENCE South 86°36'12" West - 200.26 feet to a point in a
line parallel with and 50.8 feet Northerly from the
center line and opposite Station 259+00 of said Highway
Survey;

continued

THENCE South 89°27'59" West along said last parallel line
2246.74 feet to a point in the West line of said SE $\frac{1}{4}$
and opposite Station 233+53.26 of said Highway Survey;
THENCE South 0°57'31" East along said West line 78.62 feet to
the PLACE OF BEGINNING.

VERAL LOVELAND

LONE LOVELAND,

STATE OF Idaho, COUNTY OF Blaine
On this 22nd day of October, 1972,
before me, a Notary Public in and for said State, per-
sonally appeared

VERAL LOVELAND and LONE
LOVELAND, husband and wife

known to me to be the person(s) whose name(s)
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Edmund Thompson
Notary Public
Residing at Bellevue, Idaho
Comm. Expires September 1, 1973

STATE OF IDAHO, COUNTY OF Blaine
I hereby certify that this instrument was filed for record at
the request of Wood River Realty
at 10 minutes past 11 o'clock of the
this 22nd day of October
1972 in my office, and duly recorded by Book
of deeds at page

Edmund Thompson
Deputy
By James E. Rogers
Fees \$ 2.00 - 100.00
Mail to: Dean R. Rogers, Bellevue

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

June 18, 1969

Re: Permit No. G-30898

Official copy

Mr. Bake Young
BAKE YOUNG REALTY
Box 980
Nampa, Idaho 83651

Dear Mr. Young:

This is to acknowledge receipt of your letter of June 16th together with the assignment from Boise Cascade Properties, Inc. to Ralf H. and Harriet H. Stinson.

This assignment has been recorded and the original placed in our files.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

30898



BOISE CASCADE GENERAL OFFICE

P. O. Box 200 • Boise, Idaho 83701

Telephone (208) 385-9000

Cable: BOCASCO

RECEIVED

JUN 17 1969

Department of Reclamation

June 13, 1969

Bake Young Realty
Box 980
Nampa, Idaho 83651

Gentlemen:

I enclose herewith an Assignment of the public water rights of Boise Cascade Properties, Inc. to Ralf H. Stinson and Harriet H. Stinson.

Very truly yours,

J. Randolph Ayre
Assistant General Counsel

JRA/cm
Enclosures

cc: Mr. John K. M. Olsen

30898

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
ASSIGNMENT OF PERMIT

I, Boise-Cascade Properties Inc., hereby assign to Ralf H. Stinson and Harriet
H. Stinson,
Name
of c/o H.W. Budge, 111 Sutter Street, San Francisco, California,
Address

CHECK ONE

☒ All my right, title, and interest, in and to Permit No. G-30898
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to
Permit No. _____ to appropriate the public waters of the State
of Idaho. (Give that portion of the permit being assigned by describing
the land list and the point of diversion - describe by acreage within each
40-acre subdivision.)

Made this 12th day of June, 19 69.

W. M. Agee W. M. AGEE
Permit Holder VICE PRESIDENT

Wife of Permit Holder

State of Idaho)
County of Ada) ss.

On this 12th day of June, 19 69, personally ap-
peared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

Carol Dawn Mckay
Notary Public residing at
Boise, Idaho

My commission expires FEB 24 1973

30898

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
ASSIGNMENT OF PERMIT

JUN 1969

I, Boise-Cascade Properties Inc., hereby assign to Ralf H. Stinson and Harriet H. Stinson,
Name
of c/o H.W. Budge, 111 Sutter Street, San Francisco, California,
Address

CHECK ONE

☒ All my right, title, and interest, in and to Permit No. G-30898
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to
Permit No. _____ to appropriate the public waters of the State
of Idaho. (Give that portion of the permit being assigned by describing
the land list and the point of diversion - describe by acreage within each
40-acre subdivision.)

Made this 12th day of June, 19 69.

W. M. Agee W. M. AGEE
Permit Holder

Wife of Permit Holder

State of Idaho)
County of Ada) ss.

On this 12th day of June, 19 69, personally ap-
peared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

Carol Ann McKay
Notary Public residing at _____
Boise, Idaho

My commission expires _____

FEB 24 1973

30898

Bake Young Realty

• REALTORS •

PHONE 466-3525
208 12TH AVE. SO.
BOX 980

NAMPA, IDAHO 83651

"Idaho's First Accredited Farm and Land Broker"
Member of "The Society of Exchange Counselors"



June 16, 1969

Donald W. McEldowney
Appropriation Examiner
State of Idaho Department of Reclamation
Statehouse - Annex 2
Boise, Idaho 83707

Department of Reclamation

RE: Permit No. G-30898

Dear Mr. McEldowney:

Thank you for your letter of May 26 advising that the assignment of permit has been recorded from Loveland to Boise Cascade Properties, Inc.

Boise Cascade Properties, Inc. in turn sold the property to Ralf H. Stinson and Harriet H. Stinson. I enclose a copy of the letter I just received from them. He only enclosed one copy of the assignment. Therefore, I have run off one extra for your files. If you need a second original, please get in touch with either me or Mr. Ayre.

Very truly yours,

BAKE YOUNG REALTY

Bake Young
Bake Young, AFIB

BY:as

Enclosure

30898

FARMS • RANCHES • RANCH LOANS

Member: National Institute of Farm and Land Brokers

American Society of Range Management

Accredited Farm and Land Brokers

May 26, 1969

Re: Permit No. G-30898

Mr. Bake Young
208 - 12th Ave. So.
Nampa, Idaho 83651

Dear Mr. Young:

In reference to your letter of May 21, 1969, we have placed the two copies of the Assignment of Permit in our files and have recorded the assignment. We are returning a copy of the original to you.

If we may be of further service, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR
Enc: Copy of assignment

30898

Bake Young Realty

• REALTORS •

PHONE 466-3525
208 12TH AVE. SO.
BOX 980

NAMPA, IDAHO 83651

"Idaho's First Accredited Farm and Land Broker"
Member of "The Society of Exchange Counselors"



May 21, 1969

Department of Reclamation
State House
Boise, Idaho

Department of Reclamation

Gentlemen:

We enclose two copies of an Assignment of Permit No. 6-30898,
covering a well in Blaine County.

This permit was assigned by Veral Loveland to Boise Cascade
Properties, Inc. In turn, Boise Cascade has assigned it to
Ralf H. Stinson and Harriett H. Stinson. It is my understanding
this latter assignment will be mailed to you shortly.

Very truly yours,

BAKE YOUNG REALTY

Bake Young
Bake Young, AFLB

BY:as

30898

FARMS • RANCHES • RANCH LOANS

Member: National Institute of Farm and Land Brokers

American Society of Range Management

Accredited Farm and Land Brokers

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
ASSIGNMENT OF PERMIT

We Veral Loveland and
Ione Loveland, hereby assign to Boise-Cascade Properties Inc.
Name
of 720 University Avenue, Palo Alto, California,
Address

CHECK ONE

☒ All my right, title, and interest, in and to Permit No. G-30898
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to
Permit No. _____ to appropriate the public waters of the State
of Idaho. (Give that portion of the permit being assigned by describing
the land list and the point of diversion - describe by acreage within each
40-acre subdivision.)

Made this 12th day of May, 19 69.

Veral Loveland
Permit Holder

Ione Loveland
Wife of Permit Holder

State of Idaho)
County of Cosia) ss.

On this 12th day of May, 19 69, personally ap-
peared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

[Signature]
Notary Public residing at _____
Durham Idaho

My commission expires 4-4-72

30898

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
ASSIGNMENT OF PERMIT

We Veral Loveland and
Wife Ione Loveland, hereby assign to Boise-Cascade Properties Inc.
Name
of 720 University Avenue, Palo Alto, California,
Address

CHECK ONE

- ☒ All my right, title, and interest, in and to Permit No. G-30898
to appropriate the public waters of the State of Idaho.
- ☐ The following described portion of my right, title, and interest in and to
Permit No. _____ to appropriate the public waters of the State
of Idaho. (Give that portion of the permit being assigned by describing
the land list and the point of diversion - describe by acreage within each
40-acre subdivision.)

Made this 15th day of May, 19 69.

Veral Loveland
Permit Holder

Ione Loveland
Wife of Permit Holder

State of Idaho)
County of Cassia) ss.

On this 12th day of May, 19 69, personally ap-
peared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

[Signature]
Notary Public residing at _____
Burley, Idaho

My commission expires 4-4-72

30898

#214435

Grantee:
 Ralf H. Stinson
 C/O BROBECK, PHILIP & HARRISON
 ONE SPEAR TOWER
 ONE MARKET ST.
 SAN FRANCISCO, CA 94105
 Attn: Todd Anson

DEED

The Nature Conservancy of Idaho, Inc., an Idaho non-profit corporation, Grantor, for good and valuable consideration, receipts of which is hereby acknowledged by the Grantor, does hereby grant, bargain, sell and convey unto Ralf H. Stinson and Harriett H. Stinson, husband and wife, as tenants in common, Grantee, all of that certain real property situated in Blaine County, State of Idaho, described as follows:

T-1 S., R. 19 E., D.M.

Section 22, E 1/2 SW 1/4, SE 1/4

Subject to easements, restrictions, rights of way, conditions and exceptions of record.

Together with a nonexclusive easement for ingress and egress over and across that certain roadway as it presently exists and traverses Section 27, immediately adjacent to Section 22.

Grantor makes the following assignments and partial assignment of water rights, which assignments and partial assignment shall not be deemed a guarantee, warranty, or representation as to the amounts of water available under said licenses:

State of Idaho Water License No. 27590/
 37-2607 (Exhibit "A" hereto) in the name of Fred and Margaret P. Prins in the amount of .12 c/f/s with a priority date of October 8, 1958, appurtenant to 6 acres of the SW 1/4 SE 1/4 of Section 22, Township 1 South, Range 19 E.B.M.; and

State of Idaho Water License No. G-27591/37-2608 (hereafter "Well No. 1") (Exhibit "B" hereto) in the name of Fred and Margaret P. Prins in the amount of 2.0 c/f/s with a priority date of October 8, 1958, appurtenant to 100 acres in the SE 1/4 and the SW 1/4 of Section 22, Township 1 South, Range 19 E.B.M., as specifically shown on said License, and

MICROFILMED

OCT 26 1998

#214435

34 HP T#5289

Fifteen (15.01) percent (up to a maximum of 30 miner's inches) of State of Idaho Water License No. G-27592/37-2609, (hereinafter "Well No. 2") as shown on Exhibit "C" hereto with a priority date of October 8, 1950, and appurtenant to 30 acres in the SE 1/4 SW 1/4 of Section 22, Township 1 South, Range 19 E.B.M.

30 E confirmed 4-6-98
W/Blaine Co.
Recorder ga

The Grantor herein specifically reserves:

(1) A Conservation Easement, which Conservation Easement is attached hereto as Exhibit "D" and made a part hereof as if set out at length herein.

(2) The ownership of Well No. 2 located in SE 1/4 SW 1/4 of said Section 22 and the right to the remaining eighty-five (85.01) percent for use on lands in Section 27 as shown in said license.

(3) Perpetual rights of way to said Well No. 2 for ingress, egress, operation, maintenance, construction and reconstruction of said well and a right of way for the pipe or ditches necessary to convey and transport said water of the Grantor to the natural channel of the creek formed by the confluence of Cain Creek and Chaney Creek in Section 22 for conveyance to Grantor's lands in Section 27; provided that any such ditch or pipe will be located as closely as possible to Grantee's exterior boundaries, adjusting where necessary to facilitate the gravity flow of said water to said creek channel.

(4) The right to change said conveying system and locate pipes or ditches for the conveyance of said water from said well.

(5) The rights herein reserved shall be appurtenant to and shall run with the lands of the Grantor and of the Grantee, which lands are described in Exhibit "E" as the lands of the Grantor and in Exhibit "F" as the lands of the Grantee with the Grantee's land being the servient tenement and that of the Grantor being the dominant tenement.

The parties agree to the following restrictions:

(1) Said rights of way heretofore reserved shall constitute a covenant running with the land for the benefit of the Grantor, its successors and assigns.

(2) Neither the Grantor, nor their heirs, personal representatives, successors or assigns forever shall in any

MICROFILMED

OCT 26 1998

T#5289

way impede or prevent the Grantor's representatives, agents or employees' right of ingress and egress over the above-described land for the purpose of operating and maintaining said facilities, nor will the Grantee in any way impede or prevent any work hereinafter necessary on said facilities by the Grantor.

(3) Grantee will pay annual billings of Grantor for fifteen (15.0%) percent of the operation and maintenance costs of Well No. 2.

(4) Grantee acknowledges that both Well No. 1 and Well No. 2 are flowing artesian wells and that the two wells draw from the same aquifer and are of equal priority and that any decline in the flow shall be shared proportionately.

(5) The Grantee will not pump said Well No. 1 without the written permission of the Grantor.

(6) Grantee acknowledges that if a decline in said water flow occurs, and even though Grantor's permission has been obtained pursuant to paragraph (5) immediately above, Grantor has no obligation as owner of Well No. 2 to pump to obtain their own water, including Grantee's fifteen (15.0%) percent; provided that if Grantor elects to pump Well No. 2 Grantee will pay fifteen (15.0%) percent of all installation costs, and ongoing operation, maintenance and energy costs. If Grantor elects to allow Grantee to pump Well No. 1 while electing not to pump Well No. 2 it is agreed that Grantor will not contest Grantee's change in point of diversion so that Grantee can obtain the fifteen (15.0%) percent from the location of Well No. 1. If, however, both wells are to be pumped in accordance with the conditions of this agreement and all of Grantee's waters can be physically pumped from Well No. 1, the parties may subsequently so agree that Grantee may change the point of diversion of the fifteen (15.0%) percent from Well No. 2 to Well No. 1 and Grantee shall have no further interest in Well No. 2.

(7) Grantee agrees to install a flow meter or other standard measuring device so that water from Well No. 2 can be divided (eighty-five (85.0%) percent Grantor - fifteen (15.0%) percent Grantee).

(8) Grantee further acknowledges that Grantee will use said water represented by the licenses herein assigned on the property conveyed for irrigation and stockwatering purposes and will not seek to change the point of diversion, the nature of use, or the place of use of said water from those lands licensed for such beneficial uses, and further cove-

nants that he will not expand the irrigation use to more or different acres than the 116 acres presently licensed.

(9) Grantee acknowledges that neither he nor his successors and assigns will contest Grantor in obtaining the right to add additional beneficial uses, change the nature of the use, or change the place of use of Grantor's water rights reserved under Well No. 2.

(10) If Grantor subsequently acquires additional water rights upstream from the real property herein conveyed, Grantee consents to the use of the natural stream channels on the property conveyed for the conveyance of said waters.

DATED this 9th day of April, 1981.

THE NATURE CONSERVANCY
OF IDAHO, INC.

BY: L. Gregory Low
Its Executive Vice President

ATTEST:

Michael Dennis
Secretary
Assistant Secretary

"Grantor"

ACCEPTED AND APPROVED:

Ralf H. Stinson
By Harriet H. Stinson, Attorney-in-Fact
Ralf H. Stinson
Harriet H. Stinson
By Harriet H. Stinson, Attorney-in-Fact
Harriet H. Stinson

"Grantee"

STATE OF VIRGINIA)
County of ARLINGTON) ss.

On this 9th day of April, 1981, before me, a Notary Public, in and for said County and State, personally appeared L. Gregory Low and Michael Dennis, known to me to be the President and Secretary, respectively, of The Nature Conservancy, the corporation that executed the foregoing

MICROFILMED

OCT 26 1998

ing instrument, 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.



My Commission expires:
January 13, 1935

[Signature]
NOTARY PUBLIC FOR STATE OF VIRGINIA
Residing at: Arlington, Virginia

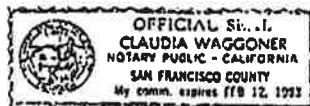
STATE OF _____

STATE OF CALIFORNIA)

County of San Francisco)

I, the undersigned Notary Public, a Notary Public in and for said State,
do hereby certify that on this 20th day of April, 1934, personally
appeared before me, Hamilton W. Budge, to be known to be the individual
described in and who executed the within instrument as attorney in fact for
his principals, Half H. Burton and Harriett H. Burton, husband and wife, and
acknowledged to me that he signed and sealed the same as the free and voluntary
act and deed of his said principals for uses and purposes therein mentioned and
on oath stated that the power of attorney authorizing the execution of this
instrument has not been revoked and his principals are now living and are sane.

Given under my hand and official seal the day and year in this certificate
first above written.



[Signature]
Notary Public for State of California
Residing at: Tiburon, California

MICROFILMED
OCT 26 1998

EXHIBIT. A

ASSIGNMENT

The Nature Conservancy of Idaho, Inc., an Idaho non-profit corporation, does hereby assign all of its right, title and interest in and to State of Idaho Water License No. 27590/37-2607 to Raif H. Stinson and Harriett H. Stinson, husband and wife.

DATED this 9th day of April, 1981.

THE NATURE CONSERVANCY
OF IDAHO, INC.

By: L. Gregory Low
President
Its Executive Vice President

ATTEST:

[Signature]
Assistant Secretary
STATE OF VIRGINIA

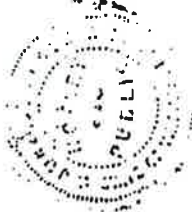
County of ARLINGTON

On this 9th day of April, 1981, before me, a Notary Public, in and for said County and State, personally appeared L. Gregory Low and Michael Dennis, known to me to be the Exec.V.Pres. and Asst. Sec., respectively, of The Nature Conservancy, the corporation that executed the foregoing instrument, 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.

My Commission expires:
January 13, 1985

[Signature]
NOTARY PUBLIC FOR ST. OF VIRGINIA
Residing at: Arlington, Virginia



MICROFILMED

OCT 26 1998
7590
37-2607

T #5289

Warranty Deed Record, No. 153, Blaine County, Idaho

483

BK 153
pg 483
11/13/47

No. 91012

HERSCHEL WILDE ET UX TO VERA L LOVELAND

THIS INDENTURE, Made this 12th day of October, in the year of our Lord one thousand nine hundred and forty-five, between Herschel Wilde and May Wilde, husband and wife, of Carey, Blaine County, Idaho, the parties of the first part and Vera L Loveland of Rupert, Minidoka County, Idaho, the party of the second part

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of FORTY-FOUR HUNDRED (\$4,800.00) and No. 100 DOLLARS, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all the following described real estate situated in the County of Blaine, State of Idaho, to-wit:

The SOUTHWEST QUARTER (SW₁) of Section FIFTEEN (15), Township ONE (1) SOUTH, Range NINETEEN (19) EAST, Boise Meridian, together with all water and water rights; ditch and ditch rights thereunto belonging.

BE SEEN R. S.

ATTAINED AND CANCELLED)

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

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

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

Signed, Sealed and Delivered in the presence of:

R. H. McCoy	Herschel Wilde	(SEAL)
	May Wilde	(SEAL)
		(SEAL)
		(SEAL)

STATE OF IDAHO, }
County of BLAINE } ss. On this 12th day of October, in the year 1945, before me, R. H. McCoy, a Notary Public in and for said State, personally appeared Herschel Wilde and May Wilde, husband and wife,

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

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

(SEAL) R. H. McCoy

My Commission expires March 31, 1947 Notary Public, Residing at Lodi, Idaho

CHANEY CREEK RANCH

Unnamed Drain

37-2607 lic 6 ac

Ground Water

37-2685 lic 233 ac claimed 183 ac

37-2608 lic 100 ac claimed 100 ac

37-7284 lic 143 ac claimed 143 ac

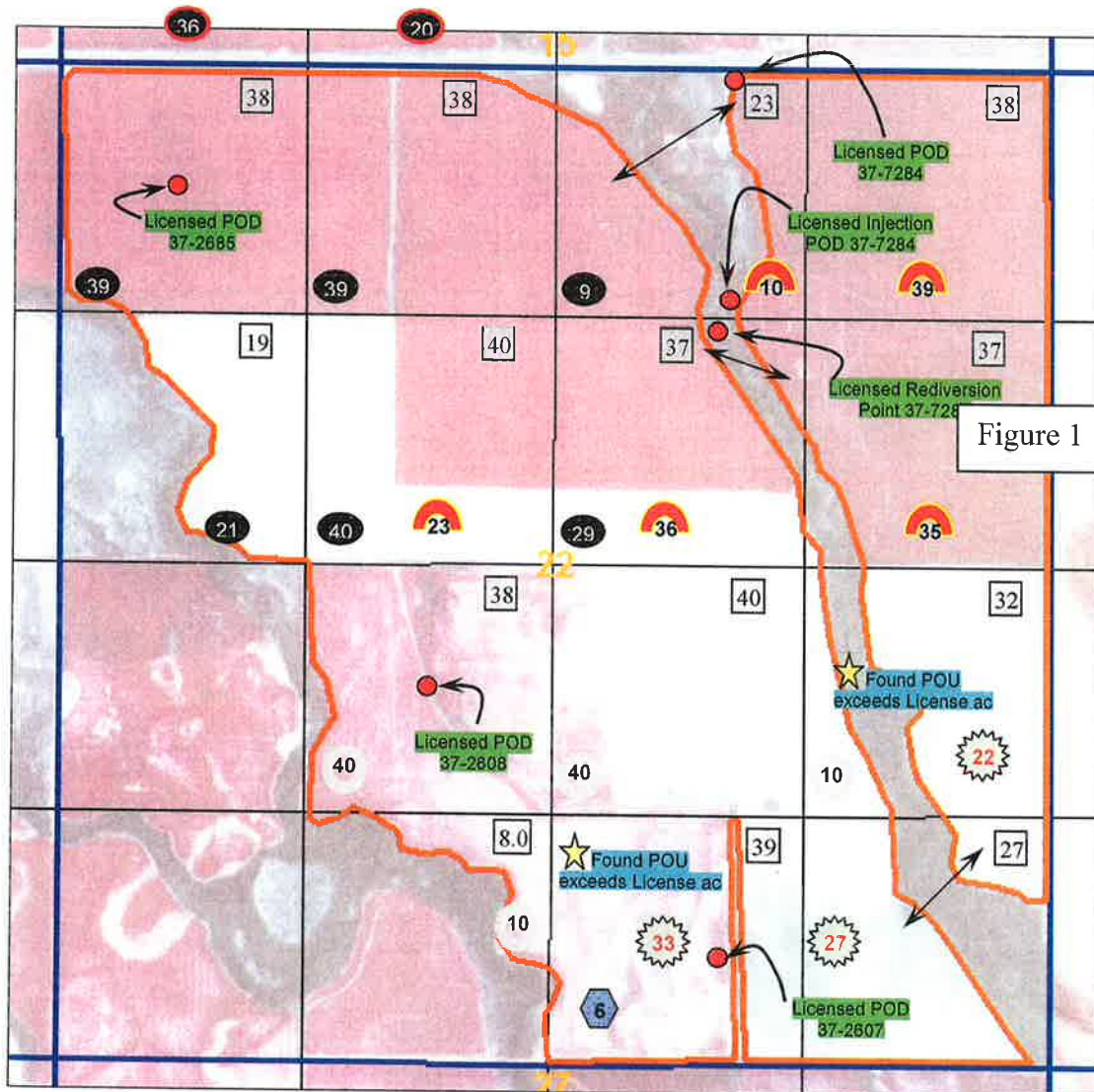


Figure 1

40	Found POU	454 acres	
6	37-2607 licensed POU	Source = Unnamed Drain	License Ac = 6
40	37-2608 licensed POU	Source = Ground Water	License Ac = 100
38	37-2685 licensed POU	Source = Ground Water	License Ac = 233
36	37-2685 licensed POU		56 ac not claimed
39	37-7284 licensed POU	Source = Ground Water	License Ac = 143
32	Irrigated ground without appurtenant water right		Total 82 acres, 88 ac for GW

In reviewing the licensed POU for the 3 ground water rights, I found that overlapping licensed acres exist in 3 different 40-acre tracts. 37-2685 and 37-7284 have three 40-acre tracts in common. For the SWNE they are limited to 40 ac combined. For the SENW I found 37 acres irrigated and am recognizing that when they are combined on this 40-acre tract that they are limited to the 37 acres. The third tract, the NWNE I found 23 irrigated acres. 37-2685 was licensed for 9 acres and 37-7284 was licensed for 10 acres for a combined total of 19 acres. The total irrigated acreage from ground water sources totals 369 acres. An additional licensed 6 acres by 37-2607 (source unnamed drain) are not being considered in the 369 acre total.

Acreage differences between the found acres vs. the licensed acres vary with respect to most of the 40-acre tracts. When considering the differences for the NE $\frac{1}{4}$, NW $\frac{1}{4}$, and the SW $\frac{1}{4}$ I found that cumulatively there were 3 more licensed acres than I found being irrigated.

ISSUES ASSOCIATED WITH 1S, 19E SEC 22 SE $\frac{1}{4}$

The majority of discrepancies occur in the SE $\frac{1}{4}$. No ground water right was associated with the S $\frac{1}{2}$ SE $\frac{1}{4}$ and only 10 acres within the NE $\frac{1}{4}$ SE $\frac{1}{4}$. 37-2607 (unnamed drain source) was licensed for 6 acres within the SW $\frac{1}{4}$ SE $\frac{1}{4}$.

When considering the differences between the licensed acres vs. the found acres (cumulatively and including recognition of the 1 acre previously discussed) as well as the 2 acre difference in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ I found 85 acres without an associated ground water right. In figure 1 the ground water acreage unlicensed is identified as 88 acres the difference being that I am recognizing an unrecorded transfer of the 3 acres to the previously non-irrigated acreage.

SUMMARY

GROUNDWATER SYSTEM

After considering any minor acre differences within various 40-acre tracts I am recognizing each right for its licensed acreage total as merely POU correction or as an unrecorded transfer except for 37-2685. This would include the 3 acres previously discussed in the Issues RE: Sec 22 SE $\frac{1}{4}$.

Regarding **37-2685**, there were 56 acres licensed in Sec 15 S $\frac{1}{2}$ SW $\frac{1}{4}$ that were not claimed although the entire licensed diversion rate of 2.46 cfs was claimed. In reviewing the adjudication claim file I did not see any documentation addressing an unrecorded transfer of the proportionate share of that right from the ground in Sec 15 S $\frac{1}{2}$ SW $\frac{1}{4}$ to the remainder of the licensed POU as claimed. The rate per acre is not an issue as the claim is for 183 acres and the 2.46 cfs or ≈ 0.013 cfs/ac.

Regarding **37-2608**, the licensed POU by 40-acre tracts vs. the found irrigated acres within the same tracts the license exceeds the found acreage in the E $\frac{1}{2}$ SW $\frac{1}{4}$ by 4 acres. In the NE $\frac{1}{4}$ SE $\frac{1}{4}$ the ground irrigated west of the stream channel is also smaller than the licensed acreage. However, I am recognizing the license in its entirety as previously discussed.

Regarding **37-7284** there are minor acre variations in most all of the licensed 40-acre tracts and again I am recognizing the license in its entirety as previously discussed. That right was licensed with one point of diversion in Sec 22 NENWNE with a point of injection in Sec 22

SEWNNE into Mud Creek with a point of redirection in Sec 22 NESWNE. The recommendation does not address the original system, rather identifies the three existing wells as an unrecorded change in the PODs.

OBJECTION ISSUES

When the 3 ground water rights are combined they are to be limited to
The combined diversion volume for the three rights is 369 ac * 3.5 afa =

369 ac
1291.5 af

When all four rights are combined they are limited to

375 ac.

Of the four rights only 37-7284 was licensed with a season of use which was

4/1 - 11/1

As the remaining rights have no season of use, the department's policy is to recommend those rights with the current department standard which for this area is 4/15 -- 10/31. There is a possibility of recommending those rights with the "shoulder language" identifying 4/1 - 11/1.

4/15 - 10/31

UNNAMED DRAIN SYSTEM

Regarding **37-2607**, this right was licensed and recommended for 6 acres in Sec 22, SWSE. This right is the only right associated with the drain and historically the system was a dug drain running virtually the entire length (north to south) of Sec 22 SWSE. The drain was then dammed up at various points raising the water table to sub irrigate approximately 100 ft on either side of the drain for the ¼ mile run of that drain. This right was recommended with a point of diversion in Sec 22 SESW with Chaney Creek as the source. For this to be valid the department would have to recognize either a change of source or an exchange of water.

Table 1

				NE				NW				SW				SE				
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Found ac	1S	19E	22	38	23	37	37	38	38	19	40	38			8	32	40	39	27	454
Recommend POU				39	16	29	33	38	35	11	40	31			2.5	23	37	22	20	376.5
37-2607	1S	19E	22															6		6
License 37-2607			22															6		6
37-2608			22									40			10	10	40			100
License 37-2608			22									40			10	10	40			100
37-2685			22		10	33		40	40	20	40									183
License 37-2685			22		9	29		39	39	21	40									177
			15											36	19.8					55.8
37-7284			22	39	10	36	35				23									143
License 37-7284			22	39	10	36	35				23									
Cumulative licensed POU by Q/Q (GW only)				39	19	37	35	39	39	21	40	40			10	10	40			369

Found acreage	= 454 ac	
Lic cumulative ac	<u>= 369 ac</u>	(Ground water combined POU acreage limit)
Difference	85 ac	(not covered by an existing right)

37-2607 is being recognized for 6 acres in addition to the 369 acres identified above.

The licensed cumulative acreage is based upon the licensed POU acreage. Where there are differences I am recognizing acre shifting as a correction to the POU based upon mapping differences and/or an unrecorded transfer. Those acres are NOT considered either forfeited or as additional acreage up to the total combined POU licensed acreage limit.

Christensen, Kelly

From: Christensen, Kelly
Sent: Wednesday, November 18, 2009 12:09 PM
To: 'Jim Speck'; Bromley, Chris; Kelly, Vicki
Subject: RE: 37-2607, 2608, 2685, and 7284 Chaney Creek Ranch

The issue is enlargement vs. an unrecorded transfer of a portion of 37-2685 prior to the development of 37-7284. Where two rights are "stacked" on common acreage, if they were to be later un-stacked more acreage is irrigated then the overall consumptive use would increase thus enlargement.

I have reviewed the water right back files for 37-2685 and 37-7284 and have found the following.

37-2685 has a 1961 priority date but proof was submitted in 1968 and the licensing field examination was conducted in 1970 with the license ultimately being issued in 1972. All available evidence suggests that there was no change in POU prior to 1972 for this right.

37-7284 has a 1973 priority date and the licensing field exam was done in July of 1980. Neither the licensing field exam or license specifically addresses any overlap, but on page 23 of the back file the field exam includes the following statement. " Mr. Bickett said that he generally only uses the water from well for one or two irrigations on (an???) average year." This statement appears to address the overlapping acreage.

To be able to recognize those acres independently you would have to establish that, water from 37-2685 was moved off the overlapping ground and to the unlicensed acreage prior to the development of 37-7284.

I do not have definitive information clearly establishing that they were used conjunctively on that ground and it does not appear logical that they would route water around the overlapping acreage to the ground to the southeast.

The only aerial photos available within the time frame in question is the 1969 flight, and the licensing field exam maps included in the respective files listed above. The licensing field exam maps are not dated and are of poor quality. The aerial photo in 37-7284 does appear to suggest a pasture but does not really show any irrigation pattern as is shown in other parts of the property. If it is actually irrigated, there is no way to determine the source of the water from the aerial photo.

If you can document that the overlapping acreage covered by 37-2685 was actually moved southeast I would consider recognizing a larger POU. This may require an amendment to the claim for 37-2685 but we can address this at a future date.

Kelly

-----Original Message-----

From: Jim Speck [mailto:jim@speckandaanestad.com]
Sent: Wednesday, November 11, 2009 5:49 PM
To: Bromley, Chris; Kelly, Vicki; hobdeycraig@hotmail.com; Christensen, Kelly; 'Peter Gray'
Subject: RE: 37-2607, 2608, 2685, and 7284 Chaney Creek Ranch

Kelly,

Thanks for the work up which I think I understand. Here is how I see it. There are a total of 420 acres of licensed ground water rights on the Ranch. However, you found that there are 51 acres shared by 2685 & 7284, so that reduces your total to 369 acres. Why can't you recognize accomplished transfers of the 51 acres (including transfers to add the 7284 p/d's to 2685) so that would bring the total back to 420 acres?? With the 6 acres under 2607 we are then at 426 acres, which is only 28 acres less than the total irrigated area you found.

Jim

James P. Speck
SPECK & AANESTAD
A Professional Corporation
120 East Avenue
P.O. Box 987
Ketchum, ID 83340
208.726.4421
208.726.0752 (fax)
jim@speckandaanestad.com

CONFIDENTIAL COMMUNICATION

This email message and any attachments are intended only for the use of the addressee named above and may contain information that is privileged and confidential. If you are not the intended recipient, any dissemination, distribution, or copying is strictly prohibited. If you received this email message in error, please immediately notify the sender by replying to this email message or by telephone. Thank you.

-----Original Message-----

From: Christensen, Kelly
Sent: Wednesday, November 04, 2009 1:18 PM
To: Jim Speck; Bromley, Chris; Kelly, Vicki; hobdeycraig@hotmail.com

After a more exhaustive review I have found that the 4 claims identified the licensed POU as the claimed POU. The objection indicates that the PPU should be 456 acres. I found that the combined POU for all four licenses totals 375 acres. As 456 acres are not claimed, I cannot recommend beyond the claimed POU. It is not clear when the additional acreage was first irrigated but it appears to be some time after 1963.

I have attached a narrative that hopefully addresses a majority of the issues covered in the objections and the basis for my tentative decisions.

37-2609A is associated with Chaney Creek Ranch but I have not looked into this one yet other than to note that the Responses have been withdrawn.

<<37-2607 etal analysis Chaney Cr Ranch.docx>>

Kelly K Christensen
Sr Water Resource Agt
Boise, Western Region
(208)-334-2190

Chaney Cr Ranch

37-2607 Obj C.C. Ranch Source should be unnamed drain

POD should be Sec 22 SWSE

Period: " " 4-1 / Oct 31

POU " " 456.5 ac

comb rts 2607, 2608, 2685, 7284

456.5 ac includes 80 ac CRP gnd.

37-2607 Response by BW canal - no comments included

37-2608 Obj C.C. Ranch Quantity - annual vol should be 1597.75 ^{AF}
with Rts - 2608, 2685, 7284 - 1597.75 af

Period - should be 4-1 / 10-31

POU - all 4 rts comb. limit to 356.5 ac

$$1597.7 / 356.5 \text{ ac} = \underline{4.48 \text{ AF}}$$

$$1597.7 / 456 = \underline{3.5 \text{ AF}}$$

37-2685 Obj C.C. Ranch Quantity into comb. limit = 1597.75

POU all 4 Rts Comb limit to 356.5 ac

Reason states ASCS map ac add to 455.9 ac

37-7284 C.C. Ranch Obj - Quantity = 1597.75 af

P/D Sec 22 ^{P/D} NENE; ^{INS} SENE; ^{REDIV} SWSE

lie ^{lie} NENE NENE SWNE

Period of yr Should be 4-1 / 10-31

POU comb = 356.5 ac

37-2607 orig source = drain now Chaney Cr?

P/D now needs to discuss. P/U needs a second look. Combined rt language needs to be reviewed

Want a 456 ac POU?

Thurs Apr 23, 09
KRC / Chris

37-2607 Cheyney Cr Ranch

Klobdy needs to be kept in the loop

Need to establish 2685 extra acres
evaluate OL acres

PPU = $\approx 456 \text{ ac}^{\pm}$

Status Conf Dec 2 9:30

RECEIVED

NOV 08 2007

DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA

Case No. 39576

A. Subcase 37-2685

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Chaney Creek Ranch LLC

Address: c/o Elizabeth Gray
PO Box 3175
Ketchum, ID 83340

Daytime Phone: (208) 726-5997

Name & Address of Attorney, if any:

James P. Speck
SPECK & AANESTAD
A Professional Corporation
PO Box 987
Ketchum, ID 83340

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Chaney Creek Ranch LLC

Address: c/o Elizabeth Gray
PO Box 3175
Ketchum, ID 83340

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be:

2. ☐ **Source**

Should be:

3. ☒ **Quantity**

Should be: The combined annual diversion volume for 37-2608, 37-2685 and 37-7284 should be 1597.75 acre-feet.

4. ☐ **Priority Date**

Should be:

5. ☐ **Point(s) of Diversion**

Should be:

6. ☐ **Instream Flow Description**

Should be:

7. ☐ **Purpose(s) of Use**

Should be:

8. ☐ **Period of Year**

Should be:

9. ☒ **Place of Use**

Should be: the place of use and the combined irrigated acre limit for 37-2607, 37-2608, 37-2685 and 37-7284 should be 356.5 acres

10. **I object because:**

☐ This water should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): 80 acres of land currently in CRP programs was left out of the place of use. The fields highlighted in yellow on the attached ASCS field map add up to 455.9 acres and include the CRP lands.

OBJ
37-2685

F.

VERIFICATION (Must be completed)

State of Idaho)
) ss.
County of Blaine)

James P. Speck, being first duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this objection, as defined by I.C. § 42-1401A(1) and (6), or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

J. P. Speck
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

November 7, 2007



Jeanne Farnea
Notary Public for Idaho

Residing at

Boise, Idaho

My Commission expires

05/05/09

2685

INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all of the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on November ___, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the claimant of the water right at the following address:

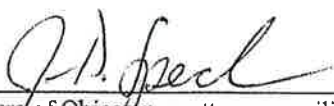
Name: Chaney Creek Ranch LLC
Address: c/o Elizabeth Gray
PO Box 3175
Ketchum, ID 83340

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

United States Department of Justice
Environment and Natural Resource
Division
550 West Fort Street, Box 33
Boise, Idaho 83734



Signature of Objector or attorney mailing on
Objector's behalf

obj
2685

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 30898/37-2685 Priority Dec. 8, 1961 Amount 2.46 cfs
(late proof)

THIS IS TO CERTIFY, that Ralf H. Stinson & Harriet H. Stinson
of San Francisco, California, have ~~xxx~~ complied with the terms and conditions of Permit
No. 30898/37-2685 issued pursuant to Application for Permit dated July 27, 1961
and has submitted proof to the Department of Water Administration on May 31, 1968
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 2.46 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 2.46 cfs for Irrigation from April 1 to Nov. 1 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 2.46 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NW¹/₄ NW¹/₄ Sec. 22, Twp. 1 S, Rge. 19 E, B. M.

in the county of Blaine; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 698 acre feet per year or _____
3.0 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				TOTALS
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
1 S	19 E	15											36	10.8					55.8
		22		9	29		39	39	21	40									177.0

Total number of acres irrigated 232.8

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 25TH day of

October, 19 72.


Director

37 2685

2685

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 30898/37-2685 Priority Dec. 8, 1961 Amount 2.46 cfs
(late proof)

THIS IS TO CERTIFY, that Ralf H. Stinson & Harriet H. Stinson
of San Francisco, California, have ~~xxx~~ complied with the terms and conditions of Permit
No. 30898/37-2685 issued pursuant to Application for Permit dated July 27, 1961,
and has submitted proof to the Department of Water Administration on May 31, 1968,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 2.46 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 2.46 cfs for Irrigation from April 1 to Nov. 1 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 2.46 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NW 1/4 NW 1/4 Sec. 22, Twp. 1 S, Rge. 19 E, B.M.

in the county of Blaine; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 698 acre feet per year or _____
3.0 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1 S	19 E	15												36	19.8				55.8
		22		9	29		39	39	21	40									177.0

Total number of acres irrigated 232.8

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 25TH day of

October, 19 72.


Director

Back file 37-2685
PC Doc Pg 10

37 2685



163.3 AC

37-2685 183 AC

OVERLAP 53.5 AC



131.5 AC

37-7284 143 AC



11.6 AC

37-2609A 12 AC

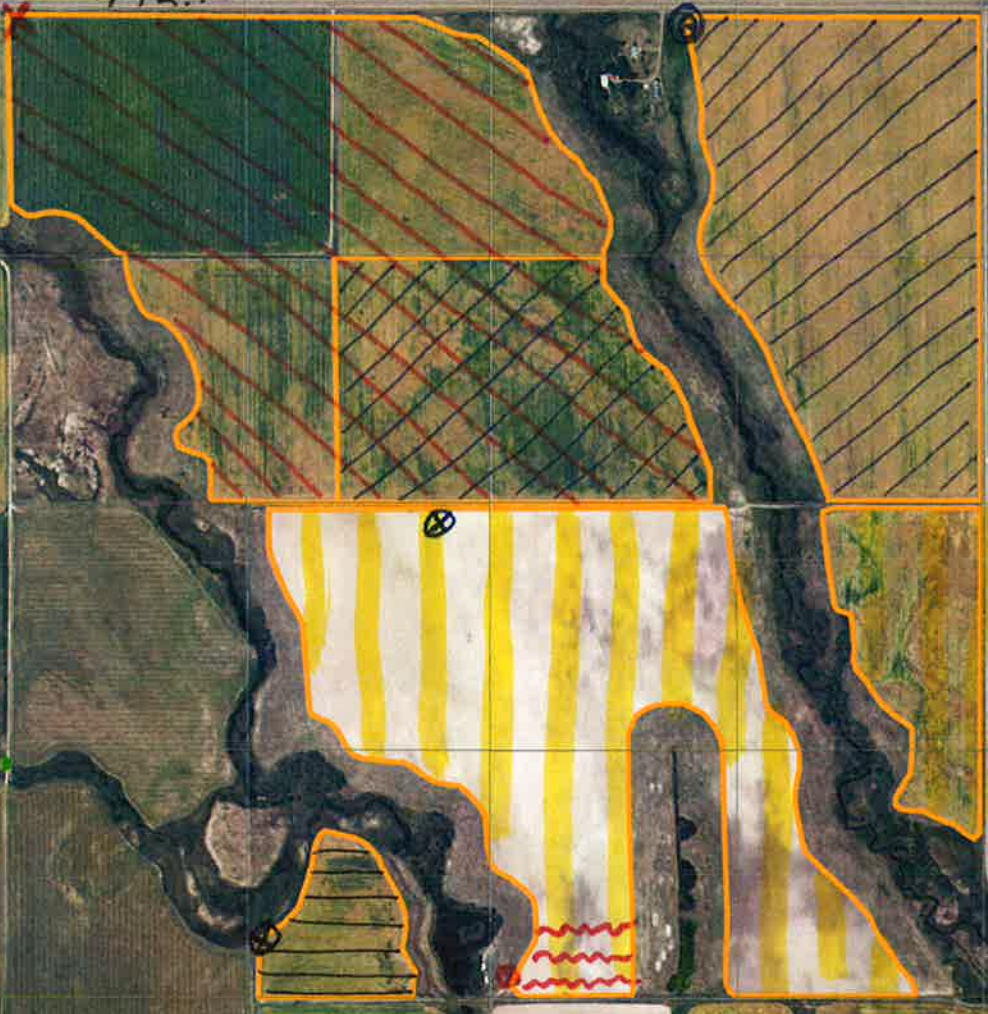
135.7 AC

37-2608 100 AC

37-2607 6 AC

442.1

444



12/13/2006

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

RIGHT NUMBER: 37-2685

NAME AND ADDRESS: CHANEY CREEK RANCH LLC
C/O ELIZABETH K GRAY
PO BOX 3175
KETCHUM ID 83340

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.460 CFS
640.500 AFY

The rights listed below are limited to a total combined annual diversion volume of 1,317.75 af. Combined Right Nos.: 37-7284, 37-2685, and 37-2608.

PRIORITY DATE: 12/08/1961

POINT OF DIVERSION:

T01S R19E S22 NENWNE Within BLAINE County

T01S R19E S22 NWNWNW Within BLAINE County

T01S R19E S22 NENESW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 11/01

QUANTITY
2.460 CFS
640.50 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T01S R19E S22	NENE	39.00	T01S R19E S22	NWNE	16.00
T01S R19E S22	SWNE	29.00	T01S R19E S22	SENE	33.00
T01S R19E S22	NENW	38.00	T01S R19E S22	NWNW	35.00
T01S R19E S22	SWNW	11.00	T01S R19E S22	SENW	40.00
T01S R19E S22	NESW	31.00	T01S R19E S22	SESW	2.50
T01S R19E S22	NESE	23.00	T01S R19E S22	NWSE	37.00
T01S R19E S22	SWSE	22.00	T01S R19E S22	SESE	20.00

376.5 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 376.5 acres in a single irrigation season. Combined Right Nos.: 37-2607, 37-7284, 37-2685, and 37-2608.

This right is limited to the irrigation of 183 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: BASIS OF CLAIM - License



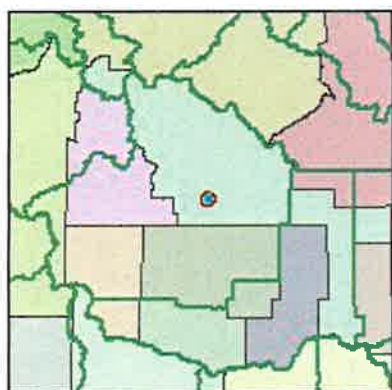
Idaho Department of Water Resources

SRBA Recommendation:

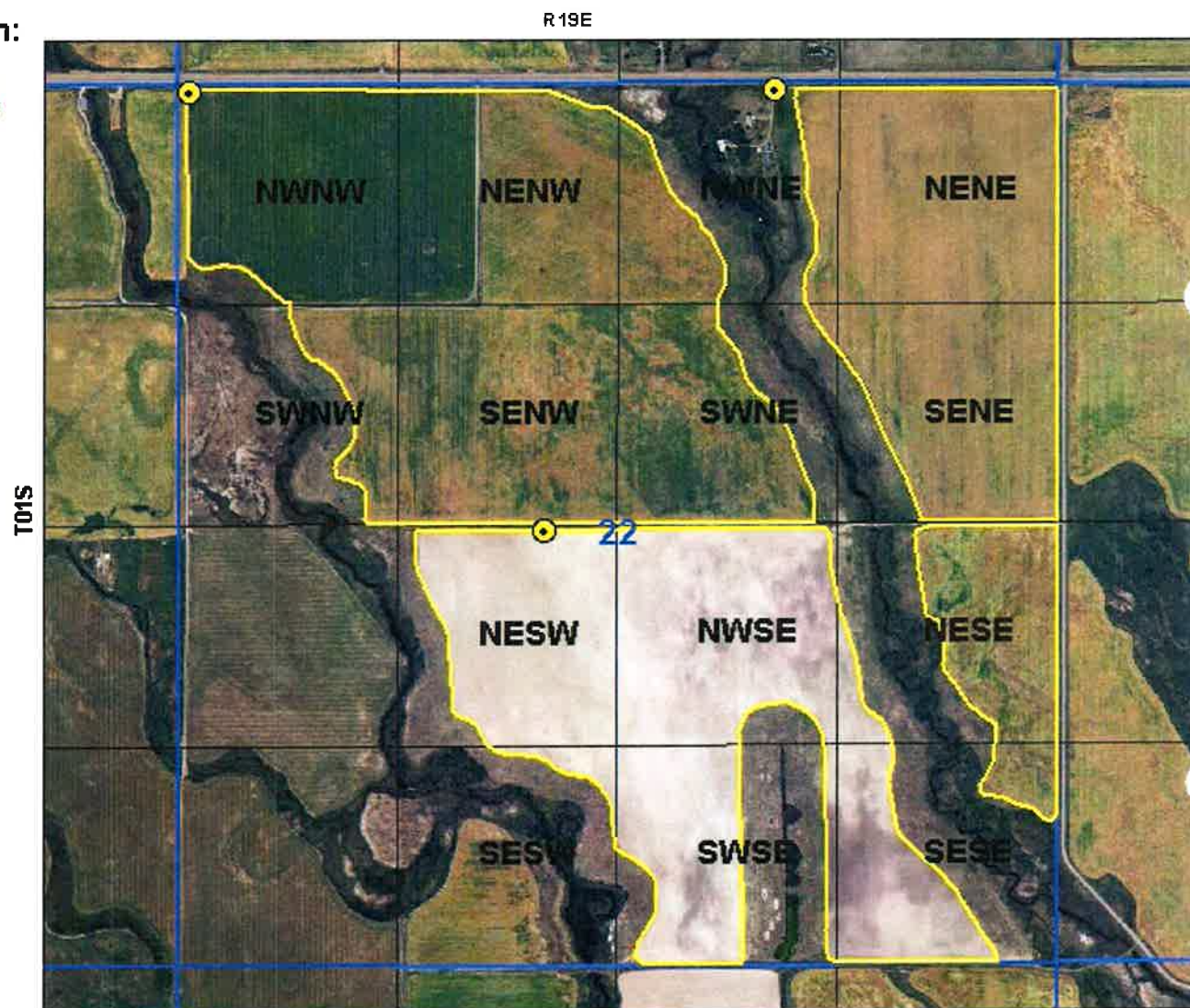
**37-7284, 37-2685,
37-2608**

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Blaine County
IDWR Basin 37



0 0.4 0.8 Miles

Prepared by N. Erickson
On Wednesday, December 13, 2006
2004 Aerial Photography



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

January 21, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Norman Semanko
ROSHOLT, ROBERTSON & TUCKER
PO Box 1906
Twin Falls, Idaho 83303-1906

RE: Snake River Basin Adjudication (SRBA)
Claim No.(s): A37-02607, A37-02608, A37-02609A, A37-02685,
A37-07284, and A37-11717
Change of Ownership Notification

Dear Mr Semanko:

Pursuant to the notification that your client(s) have purchased property with the above-mentioned Snake River Basin Adjudication claim(s), I have modified our records. The enclosed copies are for your records, please review them for accuracy in all respects.

Sincerely,

A handwritten signature in cursive script, appearing to read 'V. Hancock'.

Vikie Hancock
S.R.B.A. Records Clerk

ENCLOSURES