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Page 1 of 7

Department of Water Resources
Eastern Region

Transfer No.

77757

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Tommy C. Waddoups LLC Phone: (623) 546-5784

Mailing Address: 22914 North Shorthorn, Sun City West, Arizona, 85375 Email: _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

- ☐ No Representative

Name of representative Robert L. Harris, Holden, Kidwell, Hahn & Crapo Phone: (208) 523-0620

Mailing Address: P.O. Box 50130, Idaho Falls, ID 83405 Email: rharris@holdenlegal.com

- ☐ Send all correspondence for this application to the representative and not the applicant.

OR

- ☒ Send original correspondence to the applicant and copies to the representative.

- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.

OR

- ☒ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Robert L. Harris
Signature of Applicant or Authorized Representative

ROBERT L. HARRIS, ATTORNEY
Print Name and Title if applicable

12/23/2011
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- | | | |
|--|---|---|
| 1. ☒ Change point of diversion | ☐ Add diversion point(s) | ☒ Change Place of use |
| ☐ Change nature of use | ☐ Change period of use | ☒ Other: <u>Correct source on portion of water rights</u> |

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label if **Part 1A.2**. The decreed place of use for Water Right Nos. 34-784, 34-785, and 35-786 included land within its permissible place of use that is not owned by the Applicant. This appears to have been done in error in the SRBA. The purpose of this application is to shrink the 316 acre permissible place of use for these three water rights to land owned or leased from the State of Idaho by the Applicant so that there will no longer be a permissible place of use, but only a place of use. This transfer also corrects another SRBA error for the source on one of the points of diversion (Antelope Creek) to the correct source of Cherry Creek (a tributary to Antelope Creek) such that the point of diversion in the NWSW should be listed as a point of diversion on Cherry Creek.

77757

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

See the attached USGS map attached as Exhibit 9. Also, the GIS point for one of the Antelope Creek PODs should also be moved slightly to more accurately depict its heading, but this movement is within the same quarter-quarter section. The State of Idaho land had portions of these rights already decreed on these in the SRBA, and is land that is leased by the Applicant.

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued**

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or part					
☐ ☒	34-784	0.6 cfs	Irrigation	05/01 to 10/15	Antelope Creek/Big Lost River
☐ ☒	34-785	2.9 cfs	Irrigation	05/01 to 10/15	Antelope Creek/Big Lost River
☐ ☒	34-786	1.7 cfs	Irrigation	05/01 to 10/15	Antelope Creek/Big Lost River
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights: 5.2 cfs and/or _____ ac-ft.

2. Total amount of water being transferred or changed 5.2 Cubic feet per second and/or _____ acre-feet annum.

3. Point(s) of diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
 Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Source	Local name for diversion
	3		NE	NW	1	4N	24E	Butte	Antelope Creek	
			SE	SW	36	5N	24E	Butte	Antelope Creek	
			SE	SW	36	5N	24E	Butte	Antelope Creek	
			NW	SW	36	5N	24E	Custer	Cherry Creek	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5).

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	24E	1					5												5
5N	24E	36			19.7	20				4.2	34.8			10.2	38.5	40.3	37.2	7.7	212.6
5N	25E	31							23.3			19.1							42.4

Total Acres (for irrigation use) 260

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued**

5. General Information:

a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future. The diversion system will not be changed or altered in any manner by this transfer, and consists of headgates on Antelope and Cherry Creeks which directs water into ditches for flood irrigation.

b. Who owns the property at the point(s) of diversion? The State of Idaho and the McGee Ranch
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
Use on State of Idaho and the McGee Ranch ground is currently authorized under the water rights. These ditch headings have been in place for many decades.

c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? No. If yes, ☐ Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation or legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer: There will be no change to the land now irrigated. While this transfer proposes to modify the place of use of three of the Applicant's water rights, it is only reducing acres from the permissible place of use to the acreage allowed under the water rights such that there will no longer be permissible place of use.

e. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) of use: None

f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ Undergone a period of five or more consecutive years of non-use,
- ☐ ☒ Currently leased to the Water Supply Bank,
- ☐ ☒ Currently used in a mitigation plan limiting the use of water under the right, or
- ☐ ☒ Currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe: _____

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

- ✓ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a.**
- ✓ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b.** If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

□ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

- [illegible]

Add'l fee paid \$175.00 Date: 2/16/2012 Received by B. Iule Receipt # E037336

77-757

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 77757**APPLICATION FOR TRANSFER OF WATER RIGHT
MINIMUM REQUIREMENTS CHECKLIST**

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule and water right proof report or details report for Part 2A of the transfer application are available from any Department office or on the Department's website at <http://www.idwr.idaho.gov/>.

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A

* Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Proof Report (obtained from Department) or Details Report (obtained on website) describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☒ ☐ #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner.
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).
- ☒ ☐ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☒ ☐ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☒ ☐ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <http://www.idwr.idaho.gov/water/rights/>.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.)
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☒ ☐ #9 Other. Please describe: USGS map of Cherry Creek.

Attachment No. 2a

Water Right Ownership

Documentation

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

12/13/2011

WATER RIGHT NO. 34-784

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ELSIE L WADDOUPS 6 TAMARACK CT GARDEN VALLEY, ID 83622 (208) 554-3813
Current Owner	JIMMIE K WADDOUPS 4253 ANTELOPE RD MOORE, ID 83255 (208)554-3813
Original Owner	T C WADDOUPS

Priority Date: 06/01/1884

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
ANTELOPE CREEK	BIG LOST RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	5/01	10/15	0.6 CFS	
Total Diversion			0.6 CFS	

Location of Point(s) of Diversion:

ANTELOPE CREEK	NENW Lt 3	Sec. 01	Township 04N	Range 24E	BUTTE County
ANTELOPE CREEK	NWSW	Sec. 36	Township 05N	Range 24E	CUSTER County

77757

ANTELOPE CREEK	SESW	Sec. 36	Township 05N	Range 24E	CUSTER County
ANTELOPE CREEK	SWSESW	Sec. 36	Township 05N	Range 24E	BUTTE County

IRRIGATION Use:

Acre Limit: 30

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04N	24E	1	3	NENW	30									
05N		36		SWNE	20		SENE	20						
				SENE	5									
				NESW	30		SESW	40						
				NESE	38		NWSE	40		SWSE	38		SESE	10
	25E	31	2	SWNW	20									
			3	NWSW	25									

Total Acres: 316

Conditions of Approval:

1.	S34	THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.
2.		USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 316 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-00785 AND 34-00786. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 30 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3.	C18	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.
4.	C03	RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
5.	C05	RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Dates:

Licensed Date:

Decreed Date: 12/14/2001

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: OR

Water District Number: 34

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 316

Combined Volume Limit:

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

12/13/2011

WATER RIGHT NO. 34-785

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ELSIE L WADDOUPS 6 TAMARACK CT GARDEN VALLEY, ID 83622 (208) 554-3813
Current Owner	JIMMIE K WADDOUPS 4253 ANTELOPE RD MOORE, ID 83255 (208)554-3813
Original Owner	T C WADDOUPS

Priority Date: 05/01/1886

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
ANTELOPE CREEK	BIG LOST RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	5/01	10/15	2.9 CFS	
Total Diversion			2.9 CFS	

Location of Point(s) of Diversion:

ANTELOPE CREEK	NENW Lt 3	Sec. 01	Township 04N	Range 24E	BUTTE County
ANTELOPE CREEK	NWSW	Sec. 36	Township 05N	Range 24E	CUSTER County

77757

ANTELOPE CREEK	SESW	Sec. 36	Township 05N	Range 24E	BUTTE County
ANTELOPE CREEK	SWSESW	Sec. 36	Township 05N	Range 24E	CUSTER County

IRRIGATION Use:

Acre Limit: 145

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04N	24E	1	3	NENW	30									
05N		36		SWNE	20		SENE	20						
				SENE	5									
				NESW	30		SESW	40						
				NESE	38		NWSE	40		SWSE	38		SESE	10
	25E	31	2	SWNW	20									
			3	NWSW	25									

Total Acres: 316

Conditions of Approval:

1.	S34	THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.
2.		USE OF THIS RIGHT WITH WATER RIGHT NOS. 34-00784 AND 34-00786 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 316 ACRES IN A SINGLE IRRIGATION SEASON. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 145 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3.	C18	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.
4.	C05	RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
5.	C03	RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

Dates:

77757

Licensed Date:

Decreed Date: 12/14/2001

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: OR

Water District Number: 34

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 316

Combined Volume Limit:

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

12/13/2011

WATER RIGHT NO. 34-786

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ELSIE L WADDOUPS 6 TAMARACK CT GARDEN VALLEY, ID 83622 (208) 554-3813
Current Owner	JIMMIE K WADDOUPS 4253 ANTELOPE RD MOORE, ID 83255 (208)554-3813
Original Owner	T C WADDOUPS

Priority Date: 09/27/1911

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
ANTELOPE CREEK	BIG LOST RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	5/01	10/15	1.7 CFS	
Total Diversion			1.7 CFS	

Location of Point(s) of Diversion:

ANTELOPE CREEK	NENW Lt 3	Sec. 01	Township 04N	Range 24E	BUTTE County
ANTELOPE CREEK	NWSW	Sec. 36	Township 05N	Range 24E	CUSTER County

77757

ANTELOPE CREEK	SESW	Sec. 36	Township 05N	Range 24E	BUTTE County
ANTELOPE CREEK	SWSESW	Sec. 36	Township 05N	Range 24E	CUSTER County

IRRIGATION Use:

Acre Limit: 85

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04N	24E	1	3	NENW	30									
05N		36		SWNE	20		SENE	20						
				SENE	5									
				NESW	30		SESW	40						
				NESE	38		NWSE	40		SWSE	38		SESE	10
	25E	31	2	SWNW	20									
			3	NWSW	25									

Total Acres: 316

Conditions of Approval:

1.	S34	THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.
2.		USE OF THIS RIGHT WITH WATER RIGHT NO. 34-00784 AND 34-00785 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 316 ACRES IN A SINGLE IRRIGATION SEASON. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 85 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3.	C18	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.
4.	C05	RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
5.	C03	RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

Dates:

77757

Licensed Date:

Decreed Date: 12/14/2001

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: OR

Water District Number: 34

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 316

Combined Volume Limit:

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

77757

NO. 244724
RECORDED

OCT 28 2011

11:03 A.M.
BUTTE COUNTY RECORDER
Jim Barnett P.M.

244724
Custer County Reg. of
Holden, Ridwell, Hahn + Rappo
Time 11:27 M Date 10-11-2011
Barbara C. Tierney, Clerk
[Signature] \$13.00
Deputy

CORRECTION WARRANTY DEED

COPY

(This deed corrects that instrument recorded as Instrument No. 0213834, records of Custer County, Idaho.)

THIS INDENTURE is made this 30th day of September, 2011, by Jennie Marie Smith Limited Partnership, and Idaho limited partnership, formerly known as Waddoups Antelope Ranch Limited Partnership, the Grantor, and Tommy C. Waddoups Limited Partnership, an Idaho limited partnership, the Grantee, whose mailing address is 22914 North Shorthorn, Sun City West, Arizona, 85375.

WITNESSETH, that the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents does grant, bargain, sell, convey, and confirm unto the Grantee, and to the Grantee's heirs and assigns forever, all of the following described property in the County of Custer, State of Idaho, and Butte County, State of Idaho, to-wit (the "Property"):

The East 20 rods of the SE1/4SW1/4 of Section 36, Township
5 North, Range 24 East.

SUBJECT to all existing easements or claims of easements, patent reservations, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws, and regulations, encroachments, overlaps, boundary line disputes, and other matters which would be disclosed by an accurate survey or inspection of the Property.

TOGETHER with the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, rents, issues, and profits therefrom; and all estate, right, title, and interest in and to the Property, as well in law as in equity, of the Grantor.

TO HAVE AND TO HOLD the Property and the appurtenances unto the Grantee, and to the Grantee's heirs and assigns forever. The Grantor and the Grantor's heirs shall warrant and defend the Property in the quiet and peaceable possession of the Grantee and the Grantee's heirs and assigns, against the Grantor and the Grantor's heirs, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the Property as of the date hereof.

In construing this Warranty Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

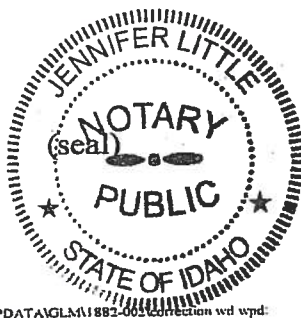
JENNIE MARIE SMITH LIMITED PARTNERSHIP

By: Jennie Marie Smith
Jennie Marie Smith, General Partner

STATE OF IDAHO)
County of Bonneville)ss.

On the 30th day of September, 2011, before me the undersigned, a notary public in and for said State, personally appeared Jennie Marie Smith, known or identified to me to be one of the partners in the partnership of Jennie Marie Smith Limited Partnership and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that she executed the same in said partnership name.

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



G:\WPDATA\GLM\1882-005\correction wd wpd:

Jennifer Little
Notary Public for Idaho
Residing at: Ammon, ID
My Commission Expires: 9/13/13

NO. 0043026
RECORDED

OCT 28 2011

11:04 A.M. P.M.
BUTTE COUNTY RECORDER
[Signature]

WARRANTY DEED

244725
star, County Rec. of
[Signature], *[Signature]*, *[Signature]* & *[Signature]*
Time 11:27 AM Date 10-11-2011
Barbara C. Tierney, Clerk
[Signature] \$13.00
Deputy

COPY

THIS INDENTURE is made this _____ day of September, 2011, by Tommy C. Waddoups Limited Partnership, an Idaho limited partnership, the Grantor, and Tommy C. Waddoups LLC, an Idaho limited liability company, the Grantee, whose mailing address is 22914 North Shorthorn, Sun City West, Arizona, 85375. The purpose of this deed is to confirm the title transfer arising out of the statutory conversion of Tommy C. Waddoups Limited Partnership into Tommy C. Waddoups LLC.

WITNESSETH, that the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents does grant, bargain, sell, convey, and confirm unto the Grantee, and to the Grantee's heirs and assigns forever, all of the following described property in the County of Custer, State of Idaho, and Butte County, State of Idaho, to-wit (the "Property"):

The East 20 rods of the SE1/4SW1/4 of Section 36, Township
5 North, Range 24 East.

SUBJECT to all existing easements or claims of easements, patent reservations, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws, and regulations, encroachments, overlaps, boundary line disputes, and other matters which would be disclosed by an accurate survey or inspection of the Property.

TOGETHER with the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, rents, issues, and profits therefrom; and all estate, right, title, and interest in and to the Property, as well in law as in equity, of the Grantor.

TO HAVE AND TO HOLD the Property and the appurtenances unto the Grantee, and to the Grantee's heirs and assigns forever. The Grantor and the Grantor's heirs shall warrant and defend the Property in the quiet and peaceable possession of the Grantee and the Grantee's heirs and assigns, against the Grantor and the Grantor's heirs, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the Property as of the date hereof.

In construing this Warranty Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

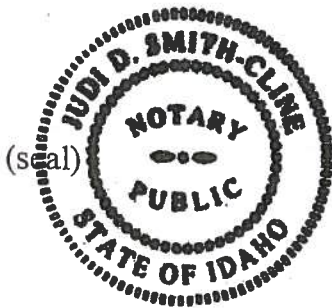
TOMMY C. WADDOUPS LIMITED PARTNERSHIP

By: Tommy C. Waddoups
Tommy C. Waddoups, General Partner

STATE OF IDAHO)
)ss.
County of Boise)

On the 30th day of September, 2011, before me the undersigned, a notary public in and for said State, personally appeared Tommy C. Waddoups, known or identified to me to be one of the partners in the partnership of Tommy C. Waddoups Limited Partnership and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that she executed the same in said partnership name.

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



Judi D. Smith-Cline
Notary Public for Idaho
Residing at: Sanden Valley ID
My Commission Expires: 7-2-2013

G:\WPDATA\GLM\15768\wd llc.wpd

NO. 0049027

RECORDED

OCT 28 2011

11:05 A.M.
BUTTE COUNTY RECORDER
[Signature]

CORRECTION DEED

244720
Custer County Rec. of
Hadden, Ridwell, Hahn & Crappa
Time 11:27 AM Date 10-11-2011
Barbara S. Tierney, Clerk
[Signature] \$22.00
Deputy
COPY

(This instrument corrects the legal description for Instrument No. 0048735 in Butte County, Idaho, and Instrument No. 244368 in Custer County, Idaho.)

THIS INDENTURE is made this ____ day of September, 2011, between Tommy C. Waddoups, Personal Representative of the Estate of Elsie L. Waddoups, and Tommy C. Waddoups (also known as Thomas C. Waddoups), Trustee of the Jimmie K. Waddoups Family Trust, and Tommy C. Waddoups Limited Partnership, an Idaho limited partnership, collectively referred to as the "Grantor", and the Tommy C. Waddoups, LLC, an Idaho limited liability company, whose mailing address is 22914 N. Shorthorn Ct., Sun City West, Arizona, 85375, the "Grantee".

WHEREAS, Tommy C. Waddoups is the duly appointed and acting personal representative of the Estate of Elsie L. Waddoups, deceased, and the trustee of the Jimmie K. Waddoups Family Trust; and

WHEREAS, Grantee is entitled to receive distribution of the Estate's and Trust's interest in the property hereafter described in this deed under the terms of the Last Will and Testament of the decedent and pursuant to the provisions of the Idaho Uniform Probate Code; and

WHEREAS, Tommy C. Waddoups Limited Partnership (which was previously known as Waddoups Antelope Ranch Limited Partnership) has been converted to Tommy C. Waddoups LLC and desires to record evidence of such conversion by joining in this deed as a Grantor.

NOW, THEREFORE, WITNESSETH, that the Grantor, for a valuable consideration, and for the purpose of distributing certain real property from the Estate of Elsie L. Waddoups, deceased, and from the Jimmie K. Waddoups Family Trust and confirming the title transfer from the limited partnership to the limited liability company does by these presents hereby distribute, grant, bargain, sell, convey, and confirm unto the Grantee, and to the Grantee's heirs and assigns forever, all of the Grantor's interest (if any) in that certain parcel of land, situate, lying and being in Butte and Custer Counties, State of Idaho, and more particularly described in the attached Exhibit "A".

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all water rights appurtenant thereto;

SUBJECT to all existing easements or claims of easements, patent reservations, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey or inspection of the premises.

TO HAVE AND TO HOLD, the premises and the appurtenances unto the Grantee, and to Grantee's heirs and assigns forever.

In construing this deed and where the context so requires, the singular includes the plural. The property distributed hereunder shall be the sole and separate property of the Grantee and the income thereon shall be the sole and separate property of the Grantee.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

Tommy C. Waddoups
Tommy C. Waddoups, Personal Representative

Tommy C. Waddoups
Tommy C. Waddoups, Trustee

Tommy C. Waddoups
Tommy C. Waddoups, General Partner

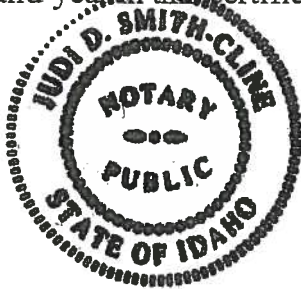
244726

STATE OF IDAHO)
)ss.
County of Boise)

On the 30th day of September, 2011, before me, the undersigned, a notary public in and for said State, personally appeared Tommy C. Waddoups known or identified to me to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Elsie L. Waddoups and acknowledged to me that he executed the same as such Personal Representative.

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)

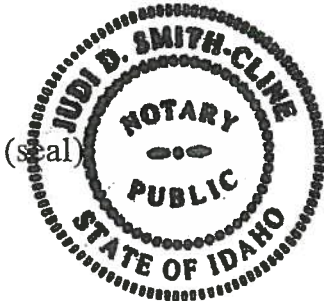


Judi D. Smith-Cline
Notary Public for Idaho
Residing at: Garden Valley ID
My Commission Expires: 7-2-2013

STATE OF IDAHO)
)ss.
County of Boise)

On the 30th day of September, 2011, before me, the undersigned, a notary public in and for said State, personally appeared Tommy C. Waddoups, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of the Jimmie K. Waddoups Family Trust and acknowledged to me that he executed the same as such Trustee.

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



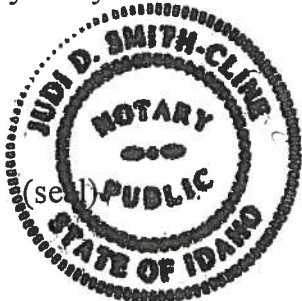
Judi D. Smith-Cline
Notary Public for Idaho
Residing at: Garden Valley ID
My Commission Expires: 7-2-2013

244726

STATE OF IDAHO)
)ss.
County of Boise)

On the 30th day of September, 2011, before me the undersigned, a notary public in and for said State, personally appeared Tommy C. Waddoups, known or identified to me to be one of the partners in the partnership of Tommy C. Waddoups Limited Partnership, and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

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



Judi D. Smith-Cline
Notary Public for Idaho
Residing at: Garden Valley ID
My Commission Expires: 7-2-2013

G:\WPDATA\GLM\15768\correction deed.ltc.wpd

244726

EXHIBIT "A"

Tract 1

The East 20 rods of Lot Three (3), in Section One (1), Township Four (4) North, and the Northeast quarter (NE1/4) of the Southwest quarter (SW1/4) of the Section Thirty-Six (36), Township Five (5) North, Range Twenty-four (24), East of the Boise Meridian.

Tract 2

The West half (W1/2) of the Southeast quarter (SE1/4), the Northeast quarter (NE1/4) of the Southeast quarter (SE1/4), and the Southwest quarter (SW1/4) of the Northeast quarter (NE1/4), all in Section Thirty-six (36), Township Five (5) North, Range Twenty-four (24), East of the Boise Meridian, Idaho, containing one hundred sixty (160) acres.

Tract 3

Lots Two (2) and Three (3) of Section Thirty-one (31), in Township Five (5) North of Range Twenty-five (25), East of the Boise Meridian.

Tract 4

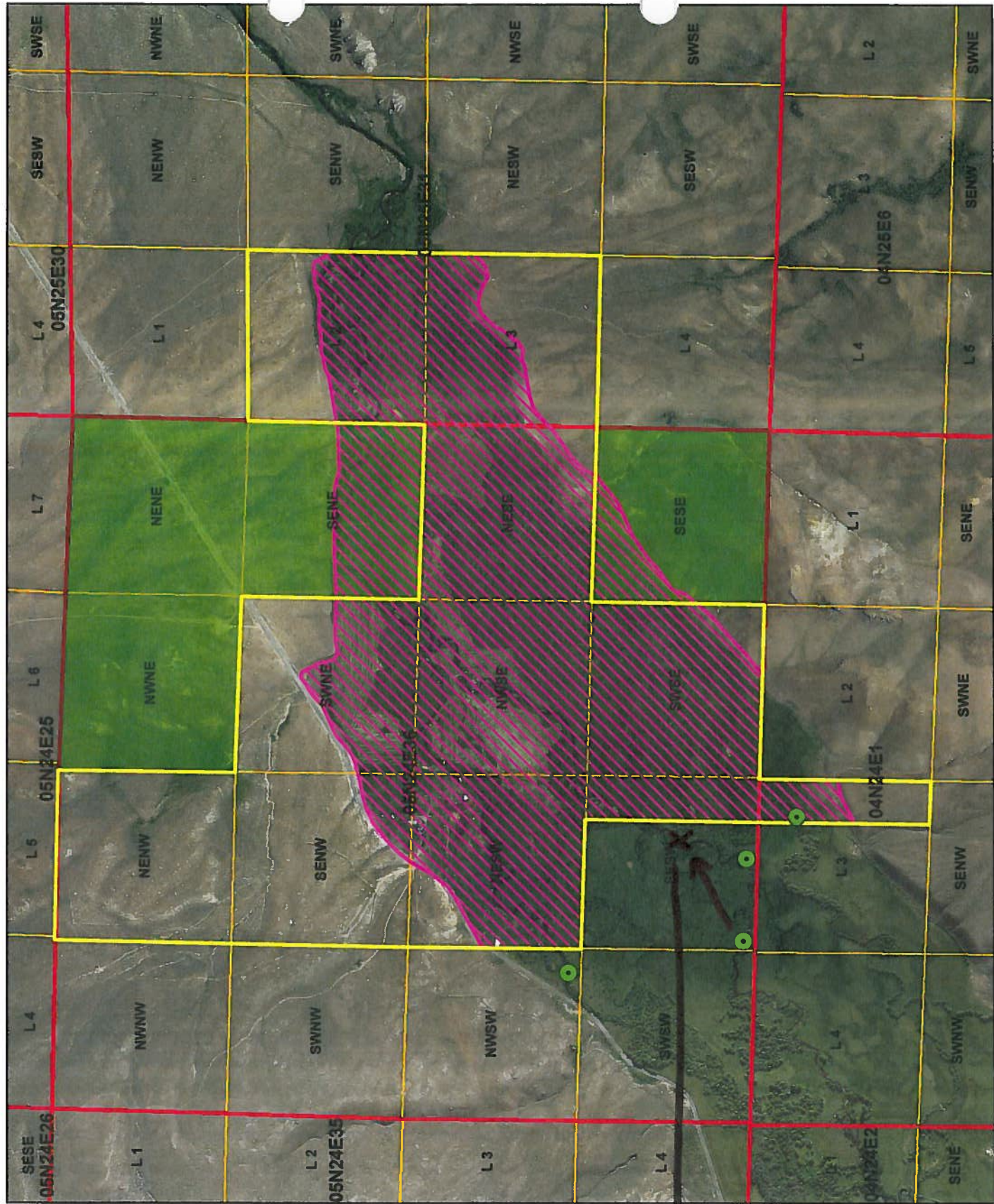
The East half (E1/2) of the Northwest quarter (NW1/4) of Section Thirty-six (36), Township Five (5) North, Range Twenty-four (24), East of the Boise Meridian, containing eighty (80) acres, more or less.

INCLUDING the farm home and appurtenant yard situate in the NE1/4SW1/4 of Section Thirty-six (36), Township Five (5) North, Range Twenty-four (24) E.B.M.

Attachment No. 7a

Map - Proposed POD

WADDDOUPS ANTELOPE CREEK TRANSFER



260 Acre
Place of Use

77757

AD
BIBLIO

2011 NAIP Photo



Prepared by:
Luke H. Marchant

Attachment No. 7b

GIS Shape File

WADDOUPS ANTELOPE CREEK TRANSFER

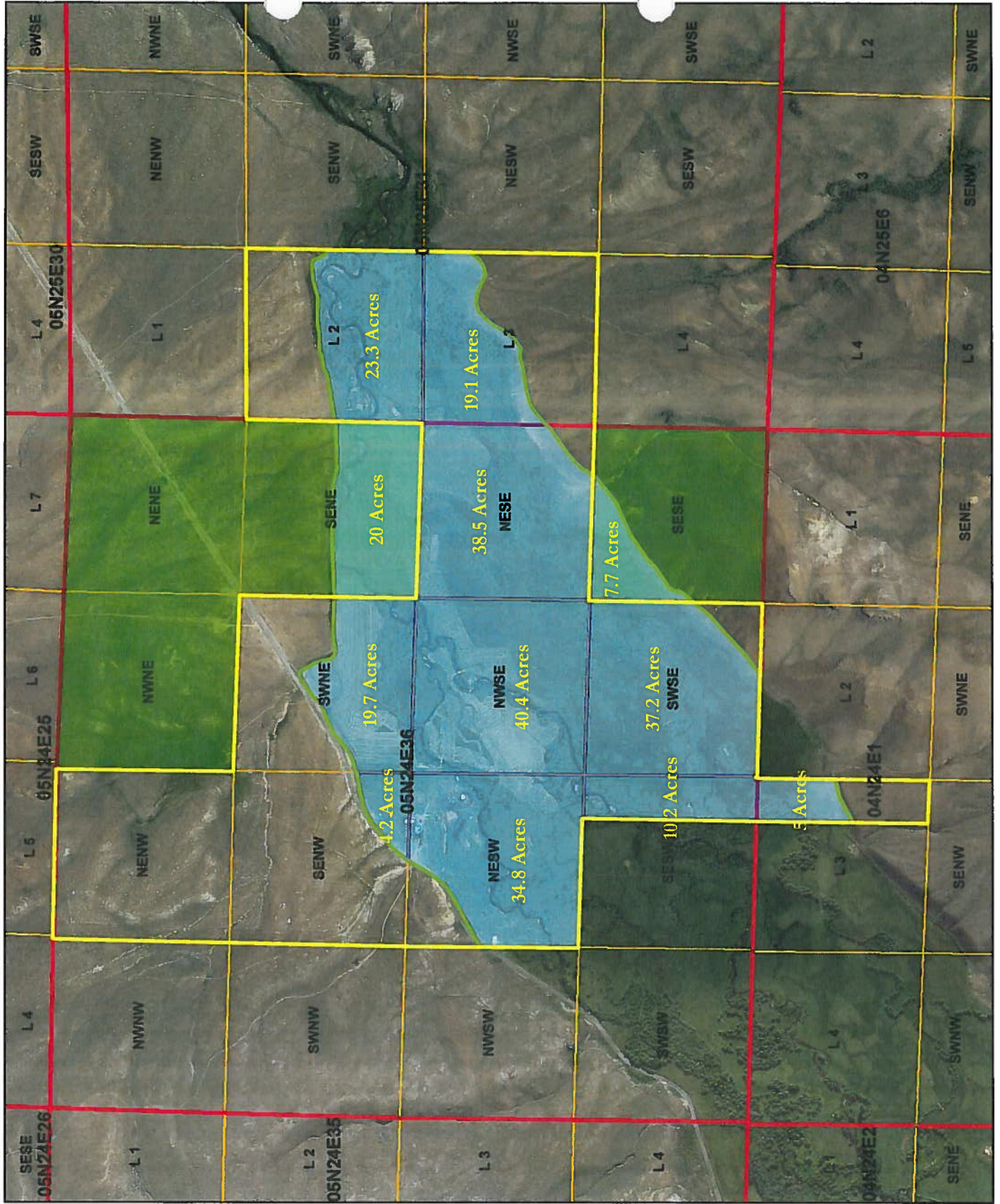


Legend

- Waddoups Parcel
- Revised POU
- POU_qq_clip
- State of Idaho
- Section Lines
- Quarter Quarters

260 Acre
Place of Use

77.757



2011 NAIP Photo

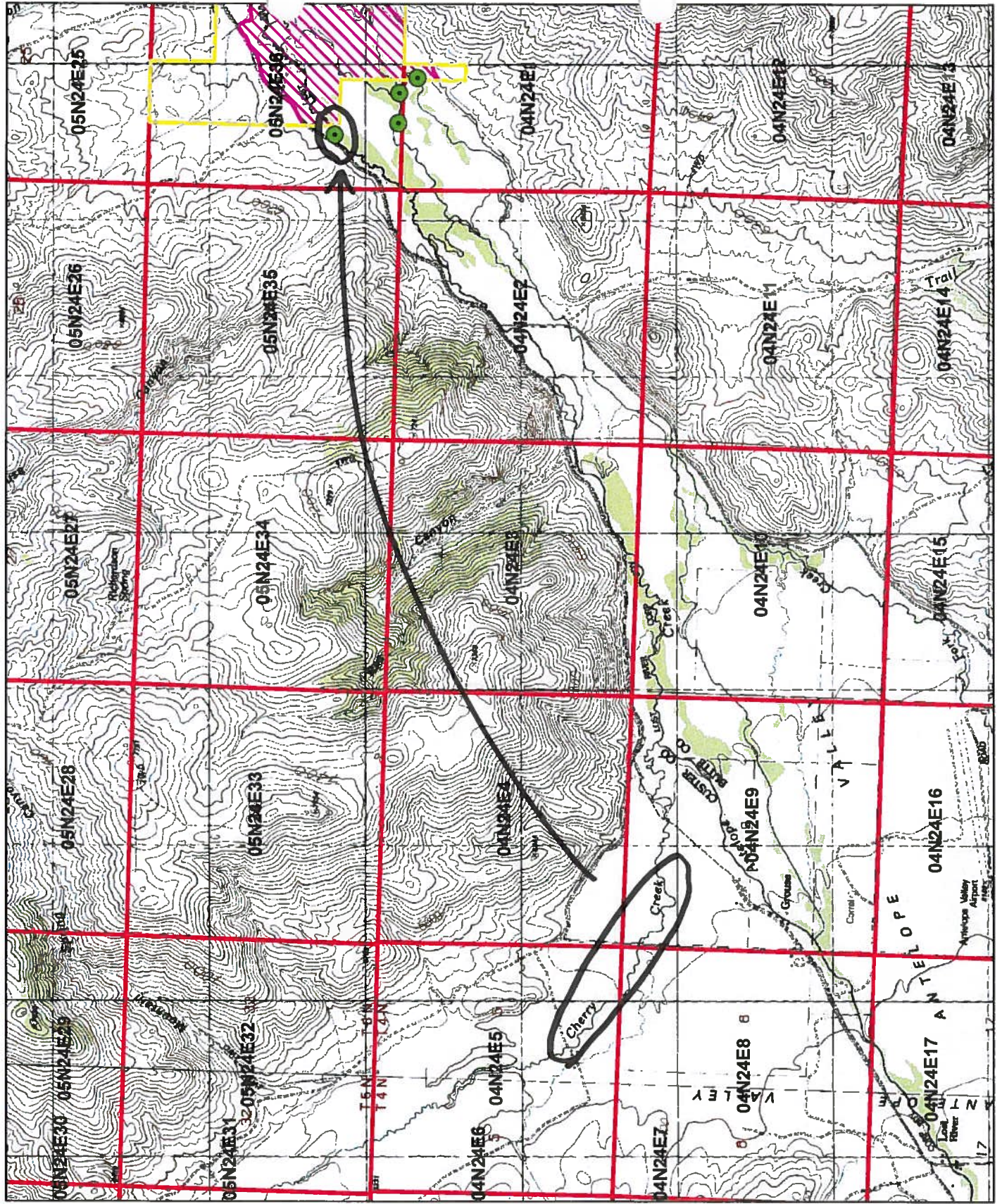


Prepared by:
Luke H. Marchant

Attachment No. 9

Other

WADDOUPS ANTELOPE CREEK TRANSFER (CHERRY CREEK)



Legend

- PODs
- Waddoups Parcel
- Revised POU
- Section Lines

260 Acre
Place of Use

77757

2011 NAP Photo



Prepared by:
Luke H. Marchant

NO. 244724
RECORDED

OCT 28 2011

11:03 A.M.
BUTTE COUNTY RECORDER
Jm Sameth

244724
Custer County Rec. of
Holden, Kidwell, Hahn + Crappe
Time 11:27 AM Date 10-11-2011
Barbara C. Tierney, Clerk
Deputy \$13.00

CORRECTION WARRANTY DEED

COPY

(This deed corrects that instrument recorded as Instrument No. 0213834, records of Custer County, Idaho.)

THIS INDENTURE is made this 30th day of September, 2011, by Jennie Marie Smith Limited Partnership, and Idaho limited partnership, formerly known as Waddoups Antelope Ranch Limited Partnership, the Grantor, and Tommy C. Waddoups Limited Partnership, an Idaho limited partnership, the Grantee, whose mailing address is 22914 North Shorthorn, Sun City West, Arizona, 85375.

WITNESSETH, that the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents does grant, bargain, sell, convey, and confirm unto the Grantee, and to the Grantee's heirs and assigns forever, all of the following described property in the County of Custer, State of Idaho, and Butte County, State of Idaho, to-wit (the "Property"):

The East 20 rods of the SE1/4SW1/4 of Section 36, Township 5 North, Range 24 East.

SUBJECT to all existing easements or claims of easements, patent reservations, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws, and regulations, encroachments, overlaps, boundary line disputes, and other matters which would be disclosed by an accurate survey or inspection of the Property.

TOGETHER with the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, rents, issues, and profits therefrom; and all estate, right, title, and interest in and to the Property, as well in law as in equity, of the Grantor.

TO HAVE AND TO HOLD the Property and the appurtenances unto the Grantee, and to the Grantee's heirs and assigns forever. The Grantor and the Grantor's heirs shall warrant and defend the Property in the quiet and peaceable possession of the Grantee and the Grantee's heirs and assigns, against the Grantor and the Grantor's heirs, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the Property as of the date hereof.

In construing this Warranty Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

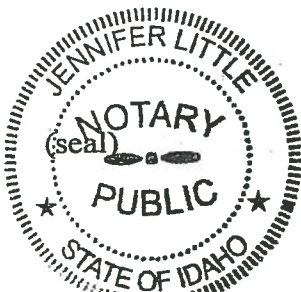
JENNIE MARIE SMITH LIMITED PARTNERSHIP

By: Jennie Marie Smith
Jennie Marie Smith, General Partner

STATE OF IDAHO)
)ss.
County of Bonneville)

On the 30th day of September, 2011, before me the undersigned, a notary public in and for said State, personally appeared Jennie Marie Smith, known or identified to me to be one of the partners in the partnership of Jennie Marie Smith Limited Partnership and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that she executed the same in said partnership name.

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



G:\WPDATA\GLM\1882-001\correction wd wpd:

Jennifer Little
Notary Public for Idaho
Residing at: Ammon, ID
My Commission Expires: 9/13/13

NO. 0043020

RECORDED

OCT 28 2011

11:04 A.M. BUTTE COUNTY RECORDER P.M.
Tommy C. Waddoups

WARRANTY DEED

244723

Butte County Rec. of
Waddoups, Kridwell, Hahn & Crapo
Time 11:27 AM Date 10-11-2011
Barbara O. Tierney, Clerk
B. Crapo \$13.00
Deputy

COPY

THIS INDENTURE is made this _____ day of September, 2011, by Tommy C. Waddoups Limited Partnership, an Idaho limited partnership, the Grantor, and Tommy C. Waddoups LLC, an Idaho limited liability company, the Grantee, whose mailing address is 22914 North Shorthorn, Sun City West, Arizona, 85375. The purpose of this deed is to confirm the title transfer arising out of the statutory conversion of Tommy C. Waddoups Limited Partnership into Tommy C. Waddoups LLC.

WITNESSETH, that the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents does grant, bargain, sell, convey, and confirm unto the Grantee, and to the Grantee's heirs and assigns forever, all of the following described property in the County of Custer, State of Idaho, and Butte County, State of Idaho, to-wit (the "Property"):

The East 20 rods of the SE1/4SW1/4 of Section 36, Township
5 North, Range 24 East.

SUBJECT to all existing easements or claims of easements, patent reservations, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws, and regulations, encroachments, overlaps, boundary line disputes, and other matters which would be disclosed by an accurate survey or inspection of the Property.

TOGETHER with the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, rents, issues, and profits therefrom; and all estate, right, title, and interest in and to the Property, as well in law as in equity, of the Grantor.

TO HAVE AND TO HOLD the Property and the appurtenances unto the Grantee, and to the Grantee's heirs and assigns forever. The Grantor and the Grantor's heirs shall warrant and defend the Property in the quiet and peaceable possession of the Grantee and the Grantee's heirs and assigns, against the Grantor and the Grantor's heirs, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the Property as of the date hereof.

In construing this Warranty Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

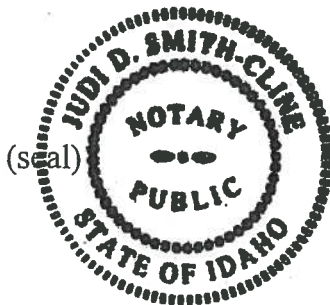
TOMMY C. WADDOUPS LIMITED PARTNERSHIP

By: Tommy C. Waddoups
Tommy C. Waddoups, General Partner

STATE OF IDAHO)
)ss.
County of Boise)

On the 30th day of September, 2011, before me the undersigned, a notary public in and for said State, personally appeared Tommy C. Waddoups, known or identified to me to be one of the partners in the partnership of Tommy C. Waddoups Limited Partnership and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that she executed the same in said partnership name.

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



Judi D. Smith-Cline
Notary Public for Idaho
Residing at: Garden Valley ID
My Commission Expires: 7-2-2013

G:\WPDATA\GLM\15768\wd.11c.wpd

NO. 0049027

RECORDED

OCT 28 2011

11:05 A.M.

BUTTE COUNTY RECORDER

CORRECTION DEED

BUTTE COUNTY RECORDER
B. J. Smith

244720

Custer County Rec. of

Hadden, Ridwell, Hahn & Crappa

Time 11:27 AM Date 10-11-2011

Barbara C. Tierney, Clerk

\$22.00

Deputy

COPY

(This instrument corrects the legal description for Instrument No. 0048735 in Butte County, Idaho, and Instrument No. 244368 in Custer County, Idaho.)

THIS INDENTURE is made this ____ day of September, 2011, between Tommy C. Waddoups, Personal Representative of the Estate of Elsie L. Waddoups, and Tommy C. Waddoups (also known as Thomas C. Waddoups), Trustee of the Jimmie K. Waddoups Family Trust, and Tommy C. Waddoups Limited Partnership, an Idaho limited partnership, collectively referred to as the "Grantor", and the Tommy C. Waddoups, LLC, an Idaho limited liability company, whose mailing address is 22914 N. Shorthorn Ct., Sun City West, Arizona, 85375, the "Grantee".

WHEREAS, Tommy C. Waddoups is the duly appointed and acting personal representative of the Estate of Elsie L. Waddoups, deceased, and the trustee of the Jimmie K. Waddoups Family Trust; and

WHEREAS, Grantee is entitled to receive distribution of the Estate's and Trust's interest in the property hereafter described in this deed under the terms of the Last Will and Testament of the decedent and pursuant to the provisions of the Idaho Uniform Probate Code; and

WHEREAS, Tommy C. Waddoups Limited Partnership (which was previously known as Waddoups Antelope Ranch Limited Partnership) has been converted to Tommy C. Waddoups LLC and desires to record evidence of such conversion by joining in this deed as a Grantor.

NOW, THEREFORE, WITNESSETH, that the Grantor, for a valuable consideration, and for the purpose of distributing certain real property from the Estate of Elsie L. Waddoups, deceased, and from the Jimmie K. Waddoups Family Trust and confirming the title transfer from the limited partnership to the limited liability company does by these presents hereby distribute, grant, bargain, sell, convey, and confirm unto the Grantee, and to the Grantee's heirs and assigns forever, all of the Grantor's interest (if any) in that certain parcel of land, situate, lying and being in Butte and Custer Counties, State of Idaho, and more particularly described in the attached Exhibit "A".

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all water rights appurtenant thereto;

SUBJECT to all existing easements or claims of easements, patent reservations, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey or inspection of the premises.

TO HAVE AND TO HOLD, the premises and the appurtenances unto the Grantee, and to Grantee's heirs and assigns forever.

In construing this deed and where the context so requires, the singular includes the plural. The property distributed hereunder shall be the sole and separate property of the Grantee and the income thereon shall be the sole and separate property of the Grantee.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

Tommy C. Waddoups
Tommy C. Waddoups, Personal Representative

Tommy C. Waddoups
Tommy C. Waddoups, Trustee

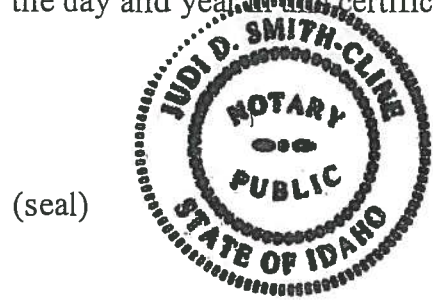
Tommy C. Waddoups
Tommy C. Waddoups, General Partner

244726

STATE OF IDAHO)
)ss.
County of Boise)

On the 30th day of September, 2011, before me, the undersigned, a notary public in and for said State, personally appeared Tommy C. Waddoups known or identified to me to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Elsie L. Waddoups and acknowledged to me that he executed the same as such Personal Representative.

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

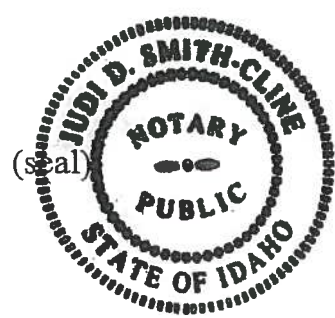


Judi D. Smith-Cline
Notary Public for Idaho
Residing at: Garden Valley ID
My Commission Expires: 7-2-2013

STATE OF IDAHO)
)ss.
County of Boise)

On the 30th day of September, 2011, before me, the undersigned, a notary public in and for said State, personally appeared Tommy C. Waddoups, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of the Jimmie K. Waddoups Family Trust and acknowledged to me that he executed the same as such Trustee.

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



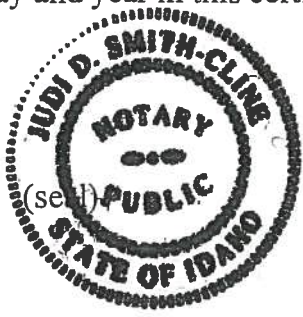
Judi D. Smith-Cline
Notary Public for Idaho
Residing at: Garden Valley ID
My Commission Expires: 7-2-2013

244726

STATE OF IDAHO)
)ss.
County of Boise)

On the 30th day of September, 2011, before me the undersigned, a notary public in and for said State, personally appeared Tommy C. Waddoups, known or identified to me to be one of the partners in the partnership of Tommy C. Waddoups Limited Partnership, and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

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



Judi D. Smith-Cline
Notary Public for Idaho
Residing at: Harden Valley ID
My Commission Expires: 7-2-2013

G:\WPDATA\GLM\15768\correction deed.11c.wpd

244726

EXHIBIT "A"

Tract 1

The East 20 rods of Lot Three (3), in Section One (1), Township Four (4) North, and the Northeast quarter (NE1/4) of the Southwest quarter (SW1/4) of the Section Thirty-Six (36), Township Five (5) North, Range Twenty-four (24), East of the Boise Meridian.

Tract 2

The West half (W1/2) of the Southeast quarter (SE1/4), the Northeast quarter (NE1/4) of the Southeast quarter (SE1/4), and the Southwest quarter (SW1/4) of the Northeast quarter (NE1/4), all in Section Thirty-six (36), Township Five (5) North, Range Twenty-four (24), East of the Boise Meridian, Idaho, containing one hundred sixty (160) acres.

Tract 3

Lots Two (2) and Three (3) of Section Thirty-one (31), in Township Five (5) North of Range Twenty-five (25), East of the Boise Meridian.

Tract 4

The East half (E1/2) of the Northwest quarter (NW1/4) of Section Thirty-six (36), Township Five (5) North, Range Twenty-four (24), East of the Boise Meridian, containing eighty (80) acres, more or less.

INCLUDING the farm home and appurtenant yard situate in the NE1/4SW1/4 of Section Thirty-six (36), Township Five (5) North, Range Twenty-four (24) E.B.M.