

Transfer No. 76662

Receipt No. 2035963
2035964

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

1. Applicant Information JAMES DAVIS
 542 FRONTAGE RD W
 DRUMMOND MT 59832
 (406)288-3898

Will this transfer result in an ownership change? _____ Yes ___X___ No

2. Current Water Right**Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
34-2309	WR/Decreed	2.00		160.0	634.0	GROUND WATER
34-2358F	WR/Decreed	1.26		112.0	634.0	GROUND WATER
34-7059B	WR/Decreed	10.44			634.0	GROUND WATER

3. Purpose of Transfer (Change Proposed)**Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
34-2309	NO	YES	NO	NO	NO	NO
34-2358F	NO	YES	NO	NO	NO	NO
34-7059B	NO	YES	NO	NO	NO	NO

Describe the reason for the proposed changes

Change the point of diversion for one of the four wells. The well located in the SWSWNE of 04N, 26E, Section 28 will be abandoned and a replacement well will be drilled in the SWSE of 04N, 26E, Section 21. The diversion from the replacement well will be limited to 9.95 cfs.

4. FOR CHANGES IN NATURE OF USE ONLY**A. Describe the expected quantity of the return flows and location of discharge after the proposed change**

N/A

B. Describe the effects on other water uses resulting from the proposed change

N/A

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
34-2309	2.00 cfs	160.0	634.0	
34-2358F	1.26 cfs	112.0	634.0	

RECEIVED

JUL 14 2010

Department of Water Resources
Eastern Region

76662

Page 2

34-7059B

10.44 cfs

634.0

TOTAL

10.44 cfs

634.0

634.0

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.



(Signature of Applicant)



(Title or Office)

Transfer No. 76662

Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 34-2309

Priority Date: October 02, 1953

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01 11/01	2.00 CFS		
	Total Diversion	2.00 CFS		

Source and Point(s) of Diversion:

GROUND WATER	SESESE	Sec. 20 Twp 04N Rge 26E BUTTE County
GROUND WATER	SWSWSE	Sec. 21 Twp 04N Rge 26E BUTTE County
GROUND WATER	SWSWNE	Sec. 28 Twp 04N Rge 26E BUTTE County
GROUND WATER	NENW	Sec. 28 Twp 04N Rge 26E BUTTE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 26E 20												6.5			33.0	33.0	72.5
04N 26E 28			33.0	33.0			33.0	33.0	33.0	33.0			33.0	33.0			264.0
04N 26E 29	35.0	35.0	35.0	35.0	33.5	28.0	28.0	28.0					20.0	20.0			297.5

Total Acres: 634

Conditions/Remarks:

- USE OF THIS RIGHT WITH RIGHT NOS. 34-07059B AND 34-02358F IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 10.44 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2219.0 AF.
THIS RIGHT AND THE RIGHTS LISTED BELOW ARE LIMITED TO A TOTAL COMBINED RATE OF DIVERSION OF 13.89 CFS.
OTHER RIGHT NOS.: 34-02358F, 34-07059D, 34-07059B AND 34-12381.

2. USE OF THIS RIGHT WITH RIGHT NOS. 34-07059B AND 34-02358F IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 634 ACRES IN A SINGLE IRRIGATION SEASON. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. A TOTALIZING MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.
4. 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.
5. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
6. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
7. THE RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
OTHER RIGHT NOS.: 34-02358F, 34-07059D, 34-07059B AND 34-12381.

Documentation of Ownership of the Current Place of Use
Owner per IDWR record

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer
No change

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

Transfer No. 76662

Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 34-2358F

Priority Date: April 20, 1961

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01 11/01	1.26 CFS		
	Total Diversion	1.26 CFS		

Source and Point(s) of Diversion:

GROUND WATER SESESE Sec. 20 Twp 04N Rge 26E BUTTE County

GROUND WATER SWSWSE Sec. 21 Twp 04N Rge 26E BUTTE County

GROUND WATER SWSWNE Sec. 28 Twp 04N Rge 26E BUTTE County

GROUND WATER NENW Sec. 28 Twp 04N Rge 26E BUTTE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 26E 20												6.5			33.0	33.0	72.5
04N 26E 28			33.0	33.0			33.0	33.0	33.0	33.0			33.0	33.0			264.0
04N 26E 29	35.0	35.0	35.0	35.0	33.5	28.0	28.0	28.0					20.0	20.0			297.5

Total Acres: 634

Conditions/Remarks:

- USE OF THIS RIGHT WITH RIGHT NOS. 34-07059B AND 34-02309 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 10.44 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2219.0 AF.
THIS RIGHT AND THE RIGHTS LISTED BELOW ARE LIMITED TO A TOTAL COMBINED RATE OF DIVERSION OF 13.89 CFS.
OTHER RIGHT NOS.: 34-07059B, 34-07059D, 34-02309 AND 34-12381.

2. USE OF THIS RIGHT WITH RIGHT NOS. 34-07059B AND 34-02309 IS LIMITED TO THE THE IRRIGATION OF A COMBINED TOTAL OF 634 ACRES IN A SINGLE IRRIGATION SEASON. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 112 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. A TOTALIZING MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.
4. 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.
5. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
6. THE RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
OTHER RIGHT NOS.: 34-07059B, 34-07059D, 34-02309 AND 34-12381.
7. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Documentation of Ownership of the Current Place of Use

Owner per IDWR record

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

N/A

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

Transfer No. 76662

Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 34-7059B

Priority Date: January 15, 1974

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/15 10/15	10.44 CFS		
	Total Diversion	10.44 CFS		

Source and Point(s) of Diversion:

GROUND WATER SESESE Sec. 20 Twp 04N Rge 26E BUTTE County

GROUND WATER SWSWSE Sec. 21 Twp 04N Rge 26E BUTTE County

GROUND WATER SWSWNE Sec. 28 Twp 04N Rge 26E BUTTE County

GROUND WATER NENW Sec. 28 Twp 04N Rge 26E BUTTE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 26E 20												6.5			33.0	33.0	72.5
04N 26E 28			33.0	33.0			33.0	33.0	33.0	33.0			33.0	33.0			264.0
04N 26E 29	35.0	35.0	35.0	35.0	33.5	28.0	28.0	28.0					20.0	20.0			297.5

Total Acres: 634

Conditions/Remarks:

1. 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.

2. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MAY 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
3. USE OF THIS RIGHT WITH RIGHT NO. 34-02309 AND 34-02358F IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 10.44 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2219.0 AF.
THIS RIGHT AND THE RIGHTS LISTED BELOW ARE LIMITED TO A TOTAL COMBINED RATE OF DIVERSION OF 13.89 CFS.
OTHER RIGHT NOS.: 34-02309, 34-02358F, 34-07059D AND 34-12381.
4. USE OF THIS RIGHT WITH RIGHT NOS. 34-02309 AND 34-02358F IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 634 ACRES IN A SINGLE IRRIGATION SEASON.
5. A TOTALIZING MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.
6. THE RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
OTHER RIGHT NOS.: 34-02309, 34-02358F, 34-07059D AND 34-12381.
7. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Documentation of Ownership of the Current Place of Use

Owner per IDWR record

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

YES

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

N/A

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

Transfer No. 76662

Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 34-2309

Priority Date: October 02, 1953

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 11/01	2.00 CFS		
	Total Diversion	2.00 CFS		

Source and Point(s) of Diversion:

GROUND WATER	SESESE	Sec. 20 Twp 04N Rge 26E BUTTE County
GROUND WATER	SWSE	Sec. 21 Twp 04N Rge 26E BUTTE County
GROUND WATER	SWSWSE	Sec. 21 Twp 04N Rge 26E BUTTE County
GROUND WATER	NENW	Sec. 28 Twp 04N Rge 26E BUTTE County

Describe the proposed diversion system

Point of Diversion # 1 4 INTERCONNECTED WELLS TO CENTER PIVOTS.
 Point of Diversion # 2 4 INTERCONNECTED WELLS TO CENTER PIVOTS.
 Point of Diversion # 3 4 INTERCONNECTED WELLS TO CENTER PIVOTS.
 Point of Diversion # 4 4 INTERCONNECTED WELLS TO CENTER PIVOTS.

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	26E	20																	72.5
04N	26E	28			33.0	33.0			33.0	33.0	33.0	33.0			33.0	33.0			264.0
04N	26E	29	35.0	35.0	35.0	35.0	33.5	28.0	28.0	28.0					20.0	20.0			297.5

Total Acres: 634

Transfer No. 76662

Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 34-2358F

Priority Date: April 20, 1961

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01 11/01	1.26 CFS		
	Total Diversion	1.26 CFS		

Source and Point(s) of Diversion:

GROUND WATER	SESESE	Sec. 20 Twp 04N Rge 26E BUTTE County
GROUND WATER	SWSE	Sec. 21 Twp 04N Rge 26E BUTTE County
GROUND WATER	SWSWSE	Sec. 21 Twp 04N Rge 26E BUTTE County
GROUND WATER	NENW	Sec. 28 Twp 04N Rge 26E BUTTE County

Describe the proposed diversion system

Point of Diversion # 1 4 INTERCONNECTED WELLS TO CENTER PIVOTS.
 Point of Diversion # 2 4 INTERCONNECTED WELLS TO CENTER PIVOTS.
 Point of Diversion # 3 4 INTERCONNECTED WELLS TO CENTER PIVOTS.
 Point of Diversion # 4 4 INTERCONNECTED WELLS TO CENTER PIVOTS.

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 26E 20									6.5						33.0	33.0	72.5
04N 26E 28			33.0	33.0			33.0	33.0	33.0	33.0			33.0	33.0			264.0
04N 26E 29	35.0	35.0	35.0	35.0	33.5	28.0	28.0	28.0					20.0	20.0			297.5

Total Acres: 634

Transfer No. 76662

Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 34-7059B

Priority Date: January 15, 1974

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/15 10/15	10.44 CFS		
	Total Diversion	10.44 CFS		

Source and Point(s) of Diversion:

GROUND WATER	SESESE	Sec. 20 Twp 04N Rge 26E BUTTE County
GROUND WATER	SWSE	Sec. 21 Twp 04N Rge 26E BUTTE County
GROUND WATER	SWSWSE	Sec. 21 Twp 04N Rge 26E BUTTE County
GROUND WATER	NENW	Sec. 28 Twp 04N Rge 26E BUTTE County

Describe the proposed diversion system

Point of Diversion # 1 4 INTERCONNECTED WELLS TO CENTER PIVOTS.

Point of Diversion # 2 4 INTERCONNECTED WELLS TO CENTER PIVOTS.

Point of Diversion # 3 4 INTERCONNECTED WELLS TO CENTER PIVOTS.

Point of Diversion # 4 4 INTERCONNECTED WELLS TO CENTER PIVOTS.

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	26E	20												6.5			33.0	33.0	72.5
04N	26E	28			33.0	33.0			33.0	33.0	33.0	33.0			33.0	33.0			264.0
04N	26E	29	35.0	35.0	35.0	35.0	33.5	28.0	28.0	28.0					20.0	20.0			297.5

Total Acres: 634



Idaho Department of Water Resources

Water Right
34-2309, 34-2358F,
34-7059B

(IRRIGATION)

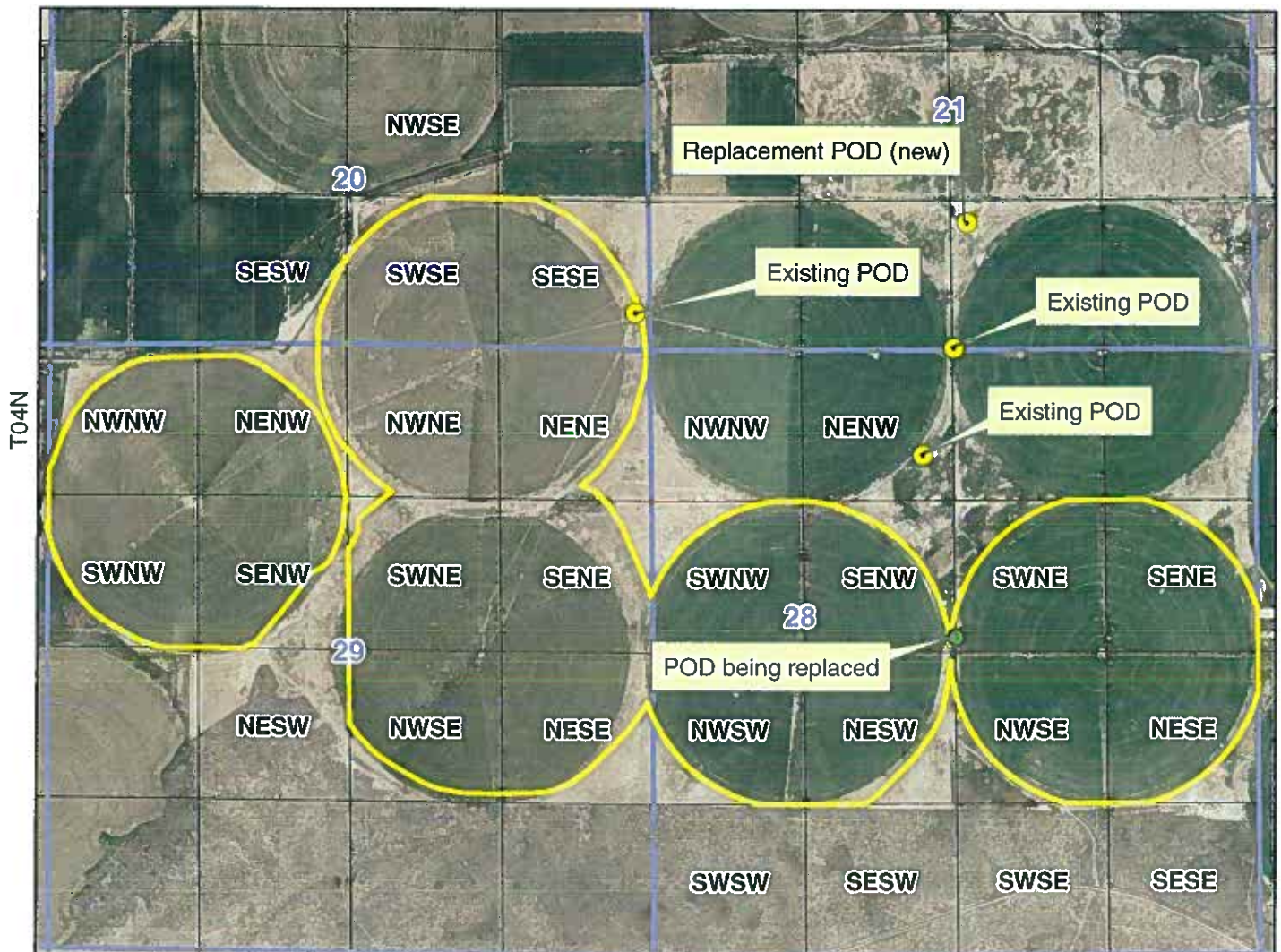
Legend

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



Butte County
IDWR Basin 34

R26E



NO. 0047557

RECORDED

MAR 05 2010

AM 2:43 PM

SUB COUNTY RECORDER

WARRANTY DEED

Order No.: 5354LRT

For Valuable Consideration Received:

CHALLIS CREEK CATTLE COMPANY, LLC

the Grantor, does hereby grant, bargain, sell, convey and warrant unto

JAMES H. DAVIS, AN UNMARRIED MAN,

the Grantee, whose current address is:

542 Frontage Rd. W., Drummond, MT 59832

the following described premises, to-wit:

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

TOGETHER WITH:

Water Right Nos.: 34-7059D, 34-2309, 34-12381, 34-2358R, 34-7059B

1970 Marlette Mobile Home, 12x57, VIN #90887

All Irrigation Equipment and Personal Property that is currently on the subject property.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Challis Creek Cattle Company, LLC

By Stephen G. Bauchman

Date

2/24/10

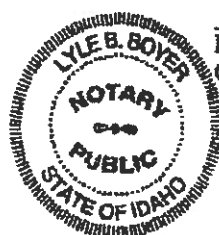
STATE OF IDAHO)

COUNTY OF BUTTE)

)ss.

On this 24 day of February, 2010, before me, the undersigned, a Notary Public, in and for said State, personally appeared STEPHAN G. BAUCHMAN, Trustee of the CHALLIS CREEK CATTLE COMPANY, LLC, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same as Trustee- Managing Member

WITNESS MY HAND AND OFFICIAL SEAL



Residing at: Arco, Idaho
Commission Expires: 06/05/2015

EXHIBIT A- page 1

TRACT 1:

Township 4 North, Range 26 East of the Boise Meridian, Butte County, Idaho.

✓Section 20: S1/2SE1/4; SE1/4SW1/4 lying Southeast of the Stub Canal.

LESS AND EXCEPTING

Beginning at the South 1/4 Corner of Section 20, Township 4 North, Range 26 East of the Boise Meridian; running thence S.89°24'20"W. along the Section line 526.36 feet to the centerline of the Stub canal; thence along said centerline the following two (2) courses: N.12°00'15"E. 54.46 feet; thence N.01°00'22"W. 146.85 feet to the TRUE POINT OF BEGINNING; running thence along said centerline of the Stub canal the following six (6) courses: N.00°07'45"W. 388.33 feet; thence N.08°41'08"E. 84.74 feet; thence N.25°33'41"E. 77.84 feet; thence N.41°25'43"E. 78.58 feet; thence N.46°30'35"E. 272.57 feet; thence N.49°12'37"E. 293.40 feet to the North-South Center Section line of said Section 20; thence S.27°49'10"W. 1108.63 feet to the TRUE POINT OF BEGINNING.

✓Section 28: S1/2N1/2; N1/2S1/2

✓Section 29: N1/2, EXCEPTING THEREFROM a fraction of the SW1/4NW1/4 described as follows:
Beginning at the Southwest Corner of said 40 acres; thence North 247 feet; thence East 640 feet; thence Southeast to a point on the South line of said 40 acres, 990 feet East of the point of beginning; thence West 990 feet to the POINT OF BEGINNING.

ALSO EXCEPTING: N1/2SE1/4 and a fraction of the NW1/4SW1/4 described as follows:
Beginning at the Northeast Corner of said 40 acres; thence South 400 feet to a point on the East line of said 40 acres; thence West 330 feet; thence North 400 feet to a point on the North line of said 40 acres 330 feet West to the point of Beginning; thence 330 feet East along the North line of said 40 acres to POINT OF BEGINNING.

✓Section 30: E1/2NE1/4, EXCEPT that portion of the SE1/4NE1/4 lying South of the field road.

LESS AND EXCEPTING TRACT I-A:

A parcel of land being generally described as a portion of the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4) and that portion of the Southeast Quarter of the Northeast Quarter (SE1/4NE1/4), lying North of the field road in Section 30, Township 4 North, Range 26 E.B.M., Butte County, Idaho. Also, portions of the Northwest Quarter of Section 29, Township 4 North, Range 26 E.B.M., lying South of the Lower Blaine Canal right-of-way, said parcel of land being more particularly described as follows:

Beginning at the Northeast Corner of said Section 30; thence N 89°57'01" West, along the North boundary of said Section 30, a distance of 1335.28 feet to the Northwest Corner of the Northeast Quarter of the Northeast Quarter, Section 30; thence S 0°21'24" W, along the West boundary of the East half of the Northeast Quarter, Section 30, a distance of 2473.43 feet; thence S 89°20'46" E, along the center-line of said field road, a distance of 1812.56 feet; thence N 4°45'02" W, 35.91 feet to the point of curvature of a concave curve to the East, having a radius of 1350.31 feet, a central angle of 118°47'15", and a length of 2799.51 feet; thence N 0°00'00" E, 14.77 feet to the Southerly boundary of the Lower Blaine Canal right-of-way; thence N 89°52'28" W, along the Southerly boundary of said canal right-of-way, a distance of 680.90 feet to the East boundary of said Section 30; thence N 0°43'57" E, along said East boundary, Section 30, a distance of 126.97 feet to the Northeast Corner of Section 30 and the POINT OF BEGINNING.

EXHIBIT A- page 2

TRACT II:

Township 4 North, Range 26 East of the Boise Meridian, Butte County, Idaho.

Section 21: S1/2S1/2, EXCEPTING THEREFROM; Beginning 100 feet South of the Northeast Corner of the SE1/4SE1/4 of said Section 21; thence South 600 feet; thence Northwesterly 750 feet to a point that is 100 feet South of the North line of said SE1/4SE1/4 and 440 feet West of the point of beginning; thence East 440 feet to the POINT OF BEGINNING.

Section 28: N1/2N1/2 and Beginning at the corner common to Section 20, 21, 28 and 29, Township 4 North, Range 26 E.B.M., Butte County, Idaho (said corner being a 2 inch iron pipe with the brass cap missing, placed by G.L.O. Surveyors in 1944), and running thence S 00°25'00" E 374.84 feet along the Section line to the Westerly side of an existing road; thence along said road the following three courses:

N 13°36'39" W 442.21 feet; thence

N 05°25'21" E 263.07 feet; thence

N 20°07'59" E 218.42 feet to the East line of said Section 20;

thence S 00°07'00" E 520.95 feet along said Section line to the POINT OF BEGINNING.

AFFIDAVIT

I, Randy Nelson, of P O Box 626, Green River, Utah, 84525, 435 503-¹²⁸⁰~~1288~~ managed the Rocky Ridge Grass Ranch For my son, Kent Nelson, in 2008 and 2009 and hereby testify that each of the seven fields shown on the attached aerial photo were completely irrigated at least twice in the irrigation season.

Dated this 16 day of June, 2010

Randy Nelson
Randy Nelson

RECEIVED

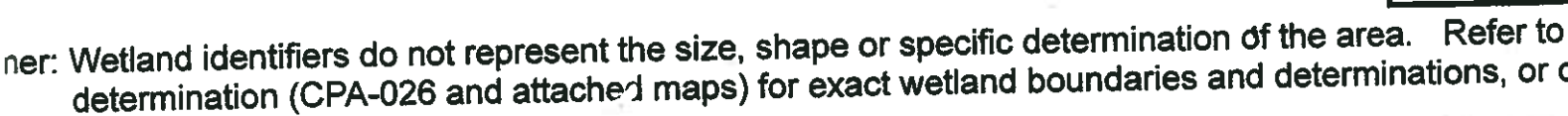
JUL 08 2010

Department of Water Resources
Eastern Region



8,100

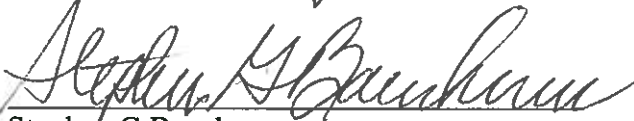
2004



AFFIDAVIT

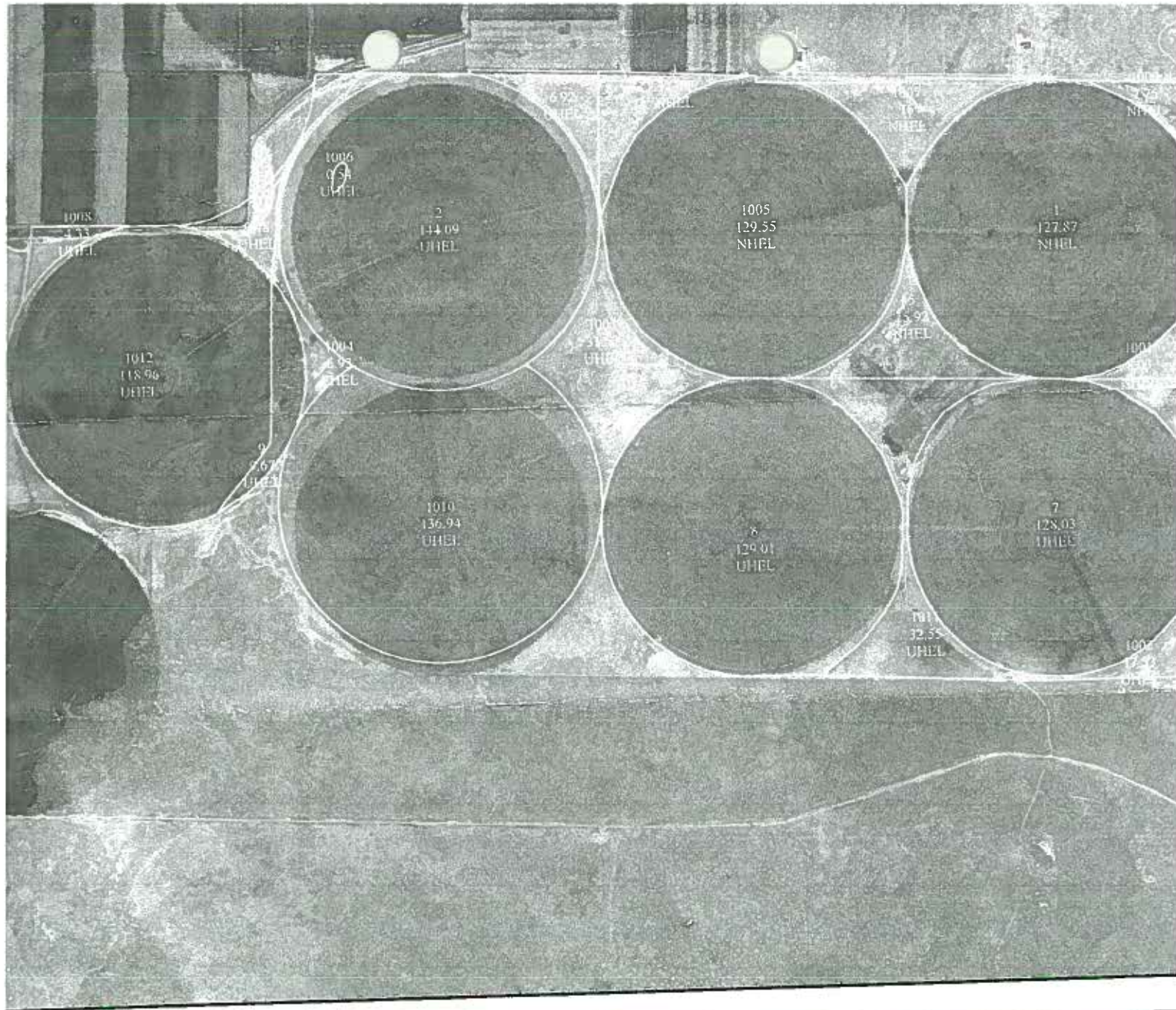
I, Stephen G Bauchman, president of Challis Creek Cattle Company, LLC of P O Box 10, Challis, Id 83226, 208 883-5515, owned 1100 acres in Sections 20,21,28,29, and 30 T4N, R26W as shown on attached aerial photo and hereby testify that each of the seven fields shown on the attached aerial photo were completely irrigated at least twice a year in the irrigation season from 2001 through 2007.

Dated this 18th day of June, 2010



Stephen G Bauchman
Challis Creek Cattle Company

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JUL 08 2010
Department of Water Resources
Eastern Region



1,350

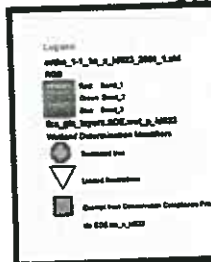
2,700

5,400

8,100

Farm # 1048 Tract # 935

2004



er: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to y
determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or cc

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