

Transfer No. 75348
 Receipt No.E034717

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

1. Applicant Information WILLIAMS-WHEELER RANCHES LLC
 14712 N HWY 34
 THATCHER ID 83283
 (208)427-0000

Will this transfer result in an ownership change? ☒ Yes ☐ No

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

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
13-858	WR/Decreed	4.00				BRIDGE CREEK, WILLIAMS CREEK

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
13-858	NO	NO	YES	YES	NO	NO

Describe the reason for the proposed changes

The purpose of this transfer is to add a point of diversion and to correct the decreed place of use to accurately reflect actual irrigated ground.

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

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

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
13-858	4.00 cfs		129.0	
TOTAL	4.00 cfs		129.0	

Transfer No. 75348

Receipt No. ~~E004708~~

E034717

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.

Williams-Wheeler Ranches L.L.C. by

Carl D. White

(Signature of Applicant)

member

(Title or Office)

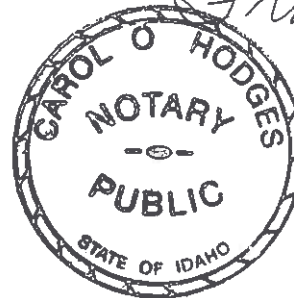
Subscribed and sworn to before me this 12th day of January, 2009.

Carol O. Hodges

(Notary Public)

My commission expires 01-20-2011

Prespton J. Franklin



RECEIVED

JAN 14 2009

Department of Water Resources
Eastern Region

75348

Transfer No. 75348
Receipt No.E034717

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

Current Water Right No. 13-858

Priority Date: April 01, 1872
Origin: Water Right
Basis: Decreed
Status: Active

Source: BRIDGE CREEK
WILLIAMS CREEK
Tributary: BEAR RIVER
BEAR RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/20 9/30	4.00 CFS		
	Total Diversion	4.00 CFS		

Source and Point(s) of Diversion:

BRIDGE CREEK SESW Sec. 19 Twp 12S Rge 41E FRANKLIN County

WILLIAMS CREEK SESW Sec. 19 Twp 12S Rge 41E FRANKLIN 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	
12S	40E	24													X				X
12S	40E	25						X											
12S	41E	19									X		X						

Conditions/Remarks:

1. P/D JOHN T. WILLIAMS DITCH, DITCH NO. 10, INCOMPLETE LEGAL P/D NORTH SIDE CREEK JUST WEST OF ROAD, SEC. 19, T12S, R41E P/D FROM USGS MAP.
P/U INCOMPLETE AC. IRR. = 200.
SOURCE AKA BRIDGE OR WILLIAMS CREEK.

Page 4

Documentation of Ownership of the Current Place of Use

Warranty Deed

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

Actual irrigated place of use is unchanged from the time of the decree. However, the decreed legal description was in error. This transfer seeks to correct the legal description from the NWNW of section 25 to the NENE of section 25. It would have been impossible to irrigate the NWNW of section 25 from the decreed source.

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. 75348
 Receipt No.E034717

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

Proposed Water Right No. 13-858

Priority Date: April 01, 1872

Origin: Water Right

Basis: Decreed

Status: Active

Source: WILLIAMS CREEK

Tributary: BEAR RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/20 09/30	4.00 CFS		
	Total Diversion	4.00 CFS		

Source and Point(s) of Diversion:

WILLIAMS CREEK SESW Sec. 19 Twp 12S Rge 41E FRANKLIN County

WILLIAMS CREEK NWNE Sec. 29 Twp 12S Rge 41E FRANKLIN County

Describe the proposed diversion system

Point of Diversion # 1 Ditch #10

Point of Diversion # 2 Old Ditch #4

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	
12S	40E	24													19.0			33.0	52.0
12S	40E	25	17.0																17.0
12S	41E	19									20.0	40.0							60.0
											L 3	L 4							

Total Acres: 129

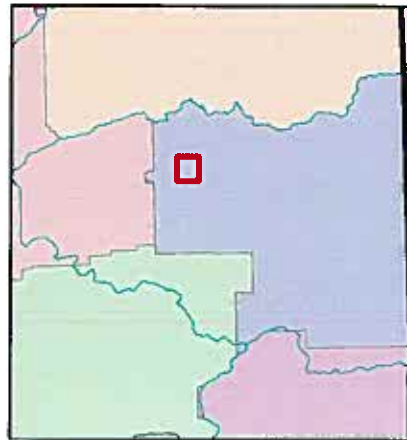


Idaho Department of Water Resources

Water Right
13-858
(IRRIGATION)

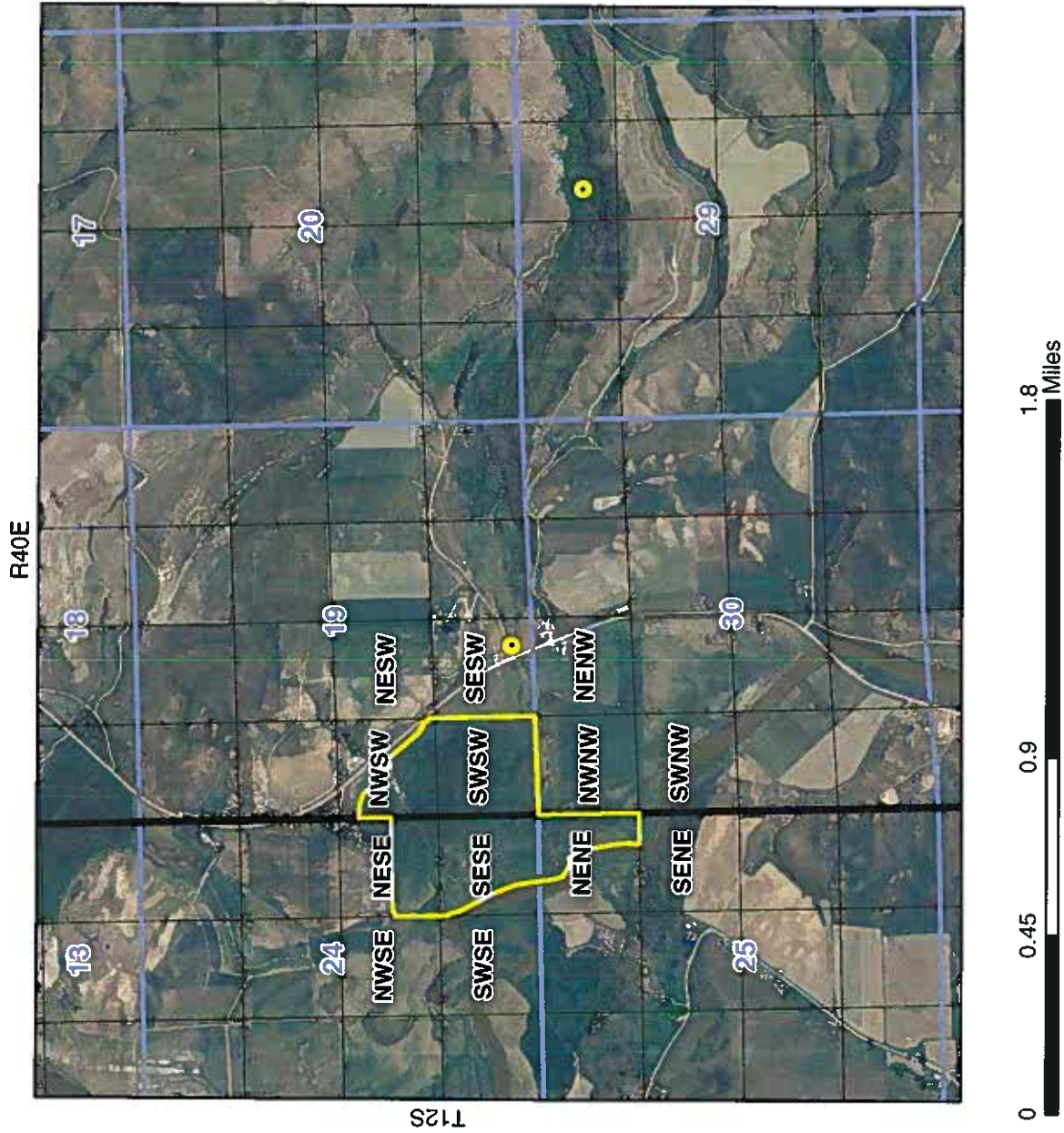
Legend

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



Franklin County
IDWR Basin 13

Prepared by Michael Holliday
On January 08, 2009
2004 Aerial Photography



Send Tax Notice to:
Williams-Wheeler Ranches, LLC
Carl Wheeler-Member
14705 N Hwy 34
Thatcher, ID 83283

a.m. OCT 12 2005 p.m. 12:10
V. ELLIOTT LARSEN, RECORDER
By Shauna Geddes Deputy
FRANKLIN COUNTY, IDAHO

SPECIAL WARRANTY DEED

Gale C. Leetzow, Trustee of the Gladys R. Williams Living Trust dated March 1, 2001 Grantor of Thatcher, County of Franklin, State of Idaho, hereby grants to Williams-Wheeler Ranches LLC, Grantee of Thatcher, County of Franklin, State of Idaho, for \$10.00 and other valuable consideration the following described property:

✓ Tract 1: Beginning at the Southeast Corner of Section 24, Township 12 South, Range 40 East of the Boise Meridian, and running thence West along Section line 60 rods, thence North 15 7/8 rods, thence East 60 rods, thence South 15 7/8 rods to place of beginning.

✓ Also, commencing 15 7/8 rods North from the Southeast Corner of Section 24, Township 12 South, Range 40 East of the Boise Meridian, thence North 98 rods, thence West 76 rods, thence South 98 rods, thence East 76 rods, to place of beginning, all that part of the Northeast Quarter of the Northeast Quarter of Section 25, Township 12 South, Range 40 East of the Boise Meridian, situated and lying East of the Bear River.

Also, commencing at the Northwest Corner of the Southwest Quarter of the Northeast Quarter of Section 30, Township 12 South, Range 41 East of the Boise meridian, running thence East 80 rods, thence South 54 rods, thence west 72 rods, thence North 2 rods, thence West 8 rods, thence North 52 rods to place of beginning.

Also, commencing at the Southeast Corner of the Southeast Quarter of the Southwest Quarter of Section 8, Township 12 South, Range 41 East of the Boise Meridian, thence West 129 rods, thence North 80 rods, thence East 93 rods, thence Southeast by South 41 rods, thence Southeast by East 31 rods to a point 27 rods North of the Southeast Corner of the Southwest Quarter of said Section 8, thence South 27 rods to the place of beginning.

Also, commencing at the Northeast Corner of the Northwest Quarter of the Northwest Quarter of Section 17, Township 12 South, Range 41 East of the Boise Meridian, thence running West 49 rods, thence South 80 rods, thence East 49 rods, thence North 80 rods, to place of beginning.

The East Half of the Northwest Quarter, and the Southwest Quarter of the Northwest Quarter of Section 17, Township 12 South, Range 41 East of the Boise Meridian. The South Half of the Southeast Quarter of Section 18, Township 12 South, Range 41 East of the Boise Meridian.

Together with right of way for road, described as beginning at the Southwest Corner of Section 19, Township 12 South, Range 41 East of the Boise Meridian, thence North 16 ½ feet, thence East 134 rods more or less, to the West boundary line of State Highway No. 34, thence South along said Highway right of way 16 ½ feet, thence West 134 rods, more or less, to point of beginning.

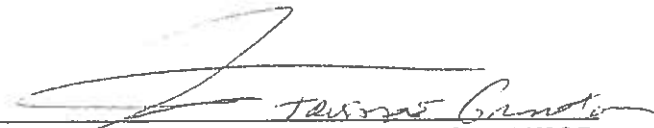
Lot 4, Section 19; and the East Half of the Northeast Quarter, the Northeast Quarter of the Southeast Quarter, Section 19, Township 12 South, Range 41 East of the Boise Meridian.

Commencing at a point 1556 feet North of the Southwest corner of Section 19, Township 12 South, Range 41 East of the Boise Meridian, continuing thence North 884 feet, thence East 280 feet, thence South 53°11' East 803 feet, thence South 66°36' West 1007 feet to the place of beginning.

Together with all water rights, and rights in ditches, canals and laterals, and rights of way therefore, appurtenant to said premises or used in connection therewith now and/or at any time including (but not limited to) the following: Right to use of the waters of Bear River and its tributaries, as decreed to above lands.

Also, excepting therefrom portions deeded for highway and highway purposes and easements or other Rights of Way reserved prior.

Signed this 20 day of May 2005


GALE C. LEETZOW, TRUSTEE, GRANTOR

STATE OF UTAH)
 ss.
County of Cache)

On the 20 day of May, 2005
Personally appeared before me GALE C. LEETZOW
who being duly sworn, did say that he is the signer
of the foregoing document, and that he executed
said document for uses and purposes therein contained.


Notary Public



WILLIAMS-WHEELER RANCHES, LLC

OPERATING AGREEMENT

THIS OPERATING AGREEMENT ("Agreement") is made and entered into this 14 day of Jan 14, 2005, between and among the persons whose names and signatures appear below, hereinafter referred to collectively as the "Members" and separately as "Member".

RECITALS:

A. The Members desire to form an Idaho limited liability company (the "Company") in accordance with Title 53, Chapter 6, of the Idaho Code, sometimes known as the Idaho Limited Liability Company Act ("Act"), for the purposes and on the terms, covenants and conditions set forth herein.

B. Concurrent with their execution hereof, the Members have caused to be executed the Articles of Organization for the Company and will forthwith cause the same to be filed with the Secretary of State of Idaho, ("Secretary of State").

C. The Members have each reviewed this Agreement, in its entirety, and desire to cause the same to be adopted as and for the Operating Agreement of the Company, in accordance with the Act.

NOW, THEREFORE, pursuant to Title 53, Chapter 6, Idaho Code, and all other pertinent laws of the State of Idaho and its political subdivisions, the undersigned mutually agree and covenant as follows:

ARTICLE I.
NAME AND PRINCIPAL PLACE OF BUSINESS

1.1 Name. The business of the Company shall be conducted under the name of WILLIAMS-WHEELER RANCHES, LLC, hereinafter sometimes referred to as the Company name.

1.2 Principal Place of Business. The principal place of business for the Company shall be Thatcher, ID.

ARTICLE II.
PURPOSE

2.1 Principal Purpose. The principal purpose of this Company shall be to conduct ranching operations and related business.

ARTICLE III.
CREATION AND FORMATION

3.1 The parties do hereby form an Idaho Limited Liability Company pursuant to the provisions of Title 538, Chapter 6, of the Idaho Code (herein referred to as the "Code"), for the purposes provided for in the Company's Articles of Organization.

ARTICLE IV.
TERM OF EXISTENCE

4.1 The Company shall commence as of the date of filing of the Company's Articles of Organization with the Secretary of State and shall continue thereafter for a period of thirty (30) years, unless and until terminated as provided herein. The Company may not transact any business nor incur any indebtedness, excepting that which is incidental to its organization or to obtaining subscriptions for or payment of contributions to the capital of the Company, until the Articles of Organization of the Company have been filed with the Secretary of State. For purposes of this Section 4.1, the Articles of Organization of the Company shall be deemed filed with the Secretary of State when the Secretary of State places his stamp or seal on the original of said Articles of Organization and said original Articles of Organization are filed in the office of the Secretary of State.

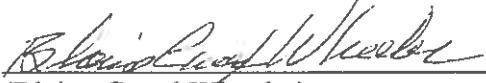
ARTICLE V.
NAMES AND ADDRESSES OF MEMBERS

5.1 Members. The name and place of residence of the Members of the Company are as follows:

<u>Name</u>	<u>Address</u>
Blaine Creed Wheeler	569 West 800 North, Preston, ID 83263
Carl Brick Wheeler	14712 North Highway 34, Thatcher, ID 83283

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

MEMBERS:


(Blaine Creed Wheeler)


(Carl Brick Wheeler)

G:\BGC\LLC\Wheeler Livestoc kLLC\William Wheeler Ranches LLC\operating agreement (Idaho).doc

me to the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same; and on this ____ day of December, in the year 1904 before me, the officer above described, personally appeared Hannah Smith, known to me to be the person whose name is subscribed to the within instrument, described as a married woman, and upon an examination without the hearing of her husband, I made her acquainted with the contents of the instrument, and thereupon she acknowledged to me that she executed the same and that she does not wish to retract such execution.

In Witness Whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Recorded at request of Anna Harmer, at 11.10 O'clock,
A. M. Jan 4", 1905. E.G. Gallet, Recorder. Fee \$1.50

Sardius D. Stalker,
Justice of the Peace.

Transcribed from Book 15 of Deeds, Page 215, Records of Bannock County, State of Idaho.

WARRANTY DEED.

INSTRUMENT NO. 3963.

This Indenture, Made the Twenty third day of September in the year of our Lord, One Thousand Nine Hundred and two between Robert H. Williams and his wife Harriet Williams, Logan City of the County of Cache and State of Utah the parties of the first part, and John T. Williams of Perry of the County of Bannock and State of Idaho the party of the second part.

WITNESSETH, that the said parties of the first part, for and in consideration of the sum of Fifteen Hundred 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 by these presents, grant, bargain, sell and convey, and confirm unto the said party of the second part, and to his heirs and assigns forever, all those certain lots, pieces or parcels of land situate, lying and being in the County of Bannock and State of Idaho and bounded and described as follows, to-wit:

All that part of the Northeast quarter of the Northeast quarter of Section Twenty (25) in Township Twelve South of Range Forty (40) East, Boise Meridian, situated East of Bear River, containing Twenty (20) acres, more or less.

Also the following described parcel of land to-wit: Commencing at the Northeast corner of Section Twenty five (25) in Township Twelve (12) South of Range Forty (40) East Boise Meridian, and running thence West (along Section line) Sixty (60) rods; thence North fifteen and 7/8 (15-7/8) rods; thence East Sixty (60) rods; thence South fifteen and 7/8 (15-7/8) rods to the place of beginning and containing Five and 95/100 (5-95/100) acres, the same being and situate in Section 24 Twp. 12 S.R. 40 East Boise Meridian, Bannock Co., Idaho.

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereto incident, unto the said party of the second part, and to his heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises a 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 TESTIMONY 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 presence of Frederick Scholes.

Robert H. Williams, (SEAL.)
Harriet Williams, (SEAL.)

STATE OF UTAH)
COUNTY OF CACHE.) ss. On this Twenty third day of September 1902, before me Frederick Sch

When recorded mail to:
Gale C. Leetzow
P.O. Box 3469
Logan, UT 84323-3469

Send Tax Notice to:
Williams-Wheeler Ranches, LLC
Carl Wheeler-Member
14705 N Hwy 34
Thatcher, ID 83283

231591 1-4

LGL Enterprise
a.m. OCT 12 2005 p.m. 12:15

V. ELLIOTT LARSEN, RECORDER
By Shauna Geddes Deputy
FRANKLIN COUNTY, IDAHO

SPECIAL WARRANTY DEED

Gale C. Leetzow, Trustee of the Gladys R. Williams Living Trust dated March 1, 2001 Grantor of Thatcher, County of Franklin, State of Idaho, hereby grants to Williams-Wheeler Ranches LLC, Grantee of Thatcher, County of Franklin, State of Idaho, for \$10.00 and other valuable consideration the following described property:

Tract 1: Beginning at the Southeast Corner of Section 24, Township 12 South, Range 40 East of the Boise Meridian, and running thence West along Section line 60 rods, thence North 15 7/8 rods, thence East 60 rods, thence South 15 7/8 rods to place of beginning.

Also, commencing 15 7/8 rods North from the Southeast Corner of Section 24, Township 12 South, Range 40 East of the Boise Meridian, thence North 98 rods, thence West 76 rods, thence South 98 rods, thence East 76 rods, to place of beginning, all that part of the Northeast Quarter of the Northeast Quarter of Section 25, Township 12 South, Range 40 East of the Boise Meridian, situated and lying East of the Bear River.

Also, commencing at the Northwest Corner of the Southwest Quarter of the Northeast Quarter of Section 30, Township 12 South, Range 41 East of the Boise meridian, running thence East 80 rods, thence South 54 rods, thence west 72 rods, thence North 2 rods, thence West 8 rods, thence North 52 rods to place of beginning.

Also, commencing at the Southeast Corner of the Southeast Quarter of the Southwest Quarter of Section 8, Township 12 South, Range 41 East of the Boise Meridian, thence West 129 rods, thence North 80 rods, thence East 93 rods, thence Southeast by South 41 rods, thence Southeast by East 31 rods to a point 27 rods North of the Southeast Corner of the Southwest Quarter of said Section 8, thence South 27 rods to the place of beginning.

Also, commencing at the Northeast Corner of the Northwest Quarter of the Northwest Quarter of Section 17, Township 12 South, Range 41 East of the Boise Meridian, thence running West 49 rods, thence South 80 rods, thence East 49 rods, thence North 80 rods, to place of beginning.

The East Half of the Northwest Quarter, and the Southwest Quarter of the Northwest Quarter of Section 17, Township 12 South, Range 41 East of the Boise Meridian. The South Half of the Southeast Quarter of Section 18, Township 12 South, Range 41 East of the Boise Meridian.

Together with right of way for road, described as beginning at the Southwest Corner of Section 19, Township 12 South, Range 41 East of the Boise Meridian, thence North 16 1/2 feet, thence East 134 rods more or less, to the West boundary line of State Highway No. 34, thence South along said Highway right of way 16 1/2 feet, thence West 134 rods, more or less, to point of beginning.

RECEIVED

JUN 04 2009

Department of Water Resources
Eastern Region

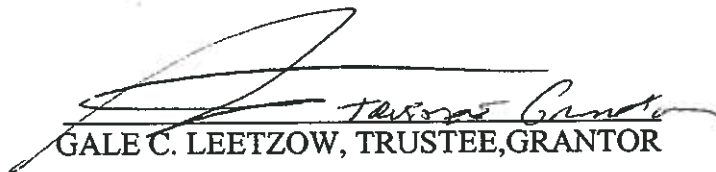
Lot 4, Section 19; and the East Half of the Northeast Quarter, the Northeast Quarter of the Southeast Quarter, Section 17, Township 12 South, Range 41 East of the Boise Meridian.

Commencing at a point 1556 feet North of the Southwest corner of Section 19, Township 12 South, Range 41 East of the Boise Meridian, continuing thence North 884 feet, thence East 280 feet, thence South 53°11' East 803 feet, thence South 66°36' West 1007 feet to the place of beginning.

Together with all water rights, and rights in ditches, canals and laterals, and rights of way therefore, appurtenant to said premises or used in connection therewith now and/or at any time including (but not limited to) the following: Right to use of the waters of Bear River and its tributaries, as decreed to above lands.

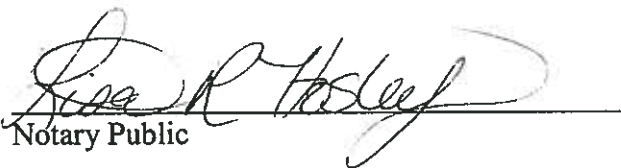
Also, excepting therefrom portions deeded for highway and highway purposes and easements or other Rights of Way reserved prior.

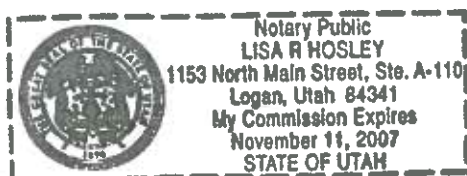
Signed this 20 day of MAY 2005


GALE C. LEETZOW, TRUSTEE, GRANTOR

STATE OF UTAH)
 ss.
County of Cache)

On the 20 day of MAY, 2005
Personally appeared before me GALE C. LEETZOW
who being duly sworn, did say that he is the signer
of the foregoing document, and that he executed
said document for uses and purposes therein contained.


Notary Public



When recorded mail to:
Gale C. Leetzow
P.O. Box 3469
Logan, UT 84323-3469

Send Tax Notice to:
Williams-Wheeler Ranches, LLC
Carl Wheeler-Member
14705 N Hwy 34
Thatcher, ID 83283

231590

Recorded at the request of
LGL Enterprise

____ a.m. OCT 12 2005 p.m. 12:1

V. ELLIOTT LARSEN, RECORDER
By Shauna Geddes Deput
FRANKLIN COUNTY, IDAHO

SPECIAL WARRANTY DEED

Gale C. Leetzow, Trustee of the Gladys R. Williams Living Trust dated March 1, 2001 Grantor of Thatcher, County of Franklin, State of Idaho, hereby grants to Carl Wheeler, Grantee of Thatcher, County of Franklin, State of Idaho, for \$10.00 and other valuable consideration the following described property:

Commencing from the Southwest corner of Section 19, T 12 S., R. 41 East of the Boise Meridian, to the intersection of the North line of Lot 3 and the West boundary Section 19, thence East 40 rods to the point of beginning; thence continuing East along the North line of said Lot 3, 40 ± rods to the East boundary line of Lot 3; thence South along the East boundary line of said Lot 3, 210.38 feet ±, thence West 40 ± rods; thence North 210.38 feet ± to the point of beginning.

Together with all water rights, and rights in ditches, canals and laterals, and rights of way therefore, appurtenant to said premises or used in connection therewith now and/or at any time including (but not limited to) the following: Right to use of the waters of Bear River And its tributaries, as decreed to above lands.

Also excepting therefrom portions deeded for highway and highway purposes and easements or other Rights of Way reserved prior.

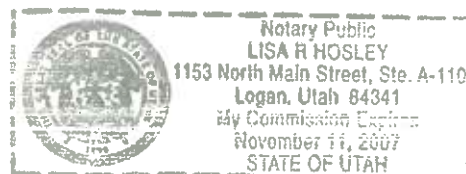
Signed this 20 day of MAY 2005


GALE C. LEETZOW, TRUSTEE, GRANTOR

STATE OF UTAH)
 ss.
County of Cache)

On the 20 day of MAY, 2005
Personally appeared before me GALE C. LEETZOW
who being duly sworn, did say that he is the signer
of the foregoing document, and that he executed
said document for uses and purposes therein contained.


Notary Public



75348

When recorded mail to:
Gale C. Leetzow
P.O. Box 3469
Logan, UT 84323-3469

Send Tax Notice to:
Williams-Wheeler Ranches, LLC
Carl Wheeler-Member
14705 N Hwy 34
Thatcher, ID 83283

231589

Recorded at the request of
LGL Enterprise LC

12:00
a.m. OCT 12 2005 p.m.

V. ELLIOTT LARSEN, RECORDER
By Shauna Geddes Deputy
FRANKLIN COUNTY, IDAHO

SPECIAL WARRANTY DEED

Carl Wheeler, Grantor of Thatcher, County of Franklin, State of Idaho, hereby grants to Williams-Wheeler Ranches LLC, Grantee of Thatcher, County of Franklin, State of Idaho, for the sum of \$10.00 and other good and valuable consideration the following described property:

Commencing from the Southwest corner of Sect 19, T 12 S., R. 41 East of the Boise Meridian, thence North along the West boundary of said Sect 19 2440 ft; thence East 280 feet, thence South 53°11' E 803 feet to the point of beginning; thence South 66°36' West 1007 feet to the West line of said Section 19; thence East along the South border of Lot 3 to the right of way of Highway 34; thence Northwesterly along the Westerly right of way of said Highway 34 to the place of beginning.

Together with all water rights, and rights in ditches, canals and laterals, and rights of way therefore, appurtenant to said premises or used in connection therewith now and/or at any time including (but not limited to) the following: Right to use of the waters of Bear River And its tributaries, as decreed to above lands.

Also excepting therefrom portions deeded for highway and highway purposes and easements or other Rights of Way reserved prior.

Signed this 6th day of OCTOBER 2005

Carl Wheeler
CARL WHEELER, GRANTOR

STATE OF UTAH)

ss.

County of Cache)

On the 6th day of OCTOBER, 2005
Personally appeared before me CARL WHEELER
who being duly sworn, did say that he is the signer
of the foregoing document, and that he executed
said document for uses and purposes therein contained.

Lisa R. Hosley
Notary Public



75348

Surveyed by Nephi Cormish in 18

Surveyed by

4

1

George W. Newma

2

Sec. 18

Sec. 17

3

in 1873

4

1

2

Sec. 19

Sec. 20

3

4

S. 89° 53' W.

1

2

Sec. 30

Sec. 29

3

75348



February 5, 2009

Williams-Wheeler Ranches LLC

14712 N. Hwy 34

Thatcher, Id 83283

State of Idaho
Department of Water Resources
900 N. Skyline Dr. Suite A
Idaho Falls, ID 83402-1718
Att: Michael Holliday

Mr. Holliday:

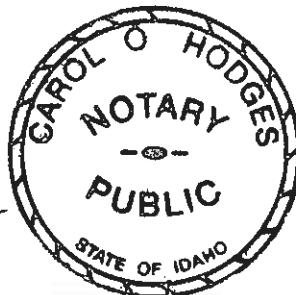
I received your letter asking for a notarized statement from the water master regarding his measurement or delivery of the water. We currently do not have a water master for Williams Creek. In the past I was referred to contact Pete Peterson; who has been the water master for district 11, for any disputes regarding Williams Creek. He is familiar with this ditch regarding water delivery and has settled disputes regarding Williams Creek. He has delivered the water to the senior right holders. We have always been given the 4.0 C.F.S. by him when our priority date and water level has allowed us to do so. We have historically used full water right; water right 13-858 which diverts into ditch #10 just east of Hwy 34 at Williams Creek, onto said ground that the right is decreed to. A weir has been in place for 20+ years, with a mark at 4.0 C.F.S.

An open ditch system is used and we have needed the full 4.0 C.F.S. to "push" the water across the ground as it is a large parcel of ground.

Regards,

Carl B. Wheeler

Carl B. Wheeler



Pete Peterson

Pete Peterson

Carol O. Hodges
02-05-09

Preston, Idaho
Franklin County

75348

My Commission Expires 01-01-2010