

LARY C. WALKER LAW OFFICE

1759 Cove Road

Weiser, Id 83672

RECEIVED

JAN 25 2010

WATER RESOURCES
WESTERN REGION

Date: January 20, 2010

Tel: 208-549-0599

Idaho Department of Water Resources

Western Region 2735 Airport Way

Boise, ID 83705-5082

Re: Wiggins petition to reconsider transfer #73931

Attention-John Westra

Dear John,

On April 22, 2009 I filed on behalf of Kermit and Joanna Wiggins a petition for reconsideration of rejection. That's petition identified with attached documentation the various water rights relating to the property Wiggins sold to Bret Newbold and the water rights appurtenant to the property Mr. Wiggins intended to keep.

After filing that petition and discussions with you, and/ or one of your assistance we were told that if deeds were executed between the parties correcting the earlier transaction consistent with the intention at the time of sale, the relief requested in the petition would granted.

While it took some time, and we appreciate your working with us, Mr. Wiggins and his wife executed and had recorded a corrected warranty deed properly identifying the water right originally intended to be conveyed to Mr. Newbold. Mr. Newbold then executed a quick claim deed re-conveying the wrongfully conveyed water rights back to Mr. and Mrs. Wiggins.

Both of those deeds have been fully executed and recorded in Washington County, copies of both are attached hereto.

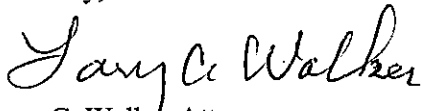
It is my understanding that with this documentation the problems created by the initial transfer can be resolved and the water rights pertinent and originally belonging to each of

the party's properties will be clarified and can be changed as necessary to conform to this documentation.

Both parties would appreciate their water rights being identified as above indicated consistent with the deeds. If there is any further information needed from either party please advise.

Thank you for your assistance.

Sincerely,

A handwritten signature in cursive script that reads "Gary C. Walker". The signature is written in dark ink and is positioned above the printed name.

Lary C. Walker Attorney

CORRECTED WARRANTY DEED

This CORRECTION DEED is for the purpose of correcting that certain WARRANTY DEED dated June 3, 1999 between the same parties and recorded in Washington County as Instrument No. 176517, recorded June 8, 1999.

For value received, KERMIT L. WIGGINS and JOANA R. WIGGINS, husband and wife, Grantors, do hereby grant, bargain, sell and convey unto, BRETT NEWBOLD, a single person, Grantee, whose address is 3471 Rush Creek Road, Cambridge, Idaho 83610, the following described real property located in Washington County, State of Idaho, to wit:

IN TOWNSHIP 15 NORTH, RANGE 3 WEST, BOISE MERIDIAN,
WASHINGTON COUNTY, IDAHO:

SECTION 3: SE1/4SE1/4, W1/2SE1/4 SAVE AND EXCEPT THE FOLLOWING

Commencing at the Southwest corner of the NW1/4SE1/4 of Sec. 3, Twp. 15N.
R.3.W., B.M.,

Thence North identical with the West line of said NW1/4SE1/4 to the Northwest corner thereof;

thence East a distance of 200 feet, more or less, to the West boundary of the County Road right-of-way;

thence Southwesterly along said boundary to where the same intersects the South line of said NW1/4SE1/4;

thence West to the point and place of beginning.

SECTION 10: NE1/4NE1/4.

SUBJECT TO County Road along the West Boundary.

GRANTOR RESERVES INGRESS-EGRESS TO MAINTAIN EXISTING PIPELINE.

Together with all water, water rights, ditches and ditch rights appurtenant thereto and in anywise belonging, identified as water right No. 67-14962, and two unpermitted ponds located on the property as no permits were required because of their size.

Subject to all valid outstanding reservations, easements, rights-of-way, restrictions, dedications, mineral leases, mineral reservations and mineral conveyances of record.

TO HAVE AND TO HOLD the said premises, with their appurtenance unto the said Grantee their heirs and assignees forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all incumbrances.

Instrument # 213954

STATE OF IDAHO, COUNTY OF WASHINGTON

12-18-2009 03:40:00 No. of Pages: 2

Recorded for : AMERITITLE

BETTY J THOMAS

Ex-Officio Recorder

Index to: DEED

Fee: 6.00

Deputy

Lisa McKnight

IN WITNESS WHEREOF, the said Grantor has hereunto set their hands and seal on

this 1st day of December, 2009.

Kermit L. Wiggins
KERMIT L. WIGGINS

Joana R. Wiggins
JOANA R. WIGGINS

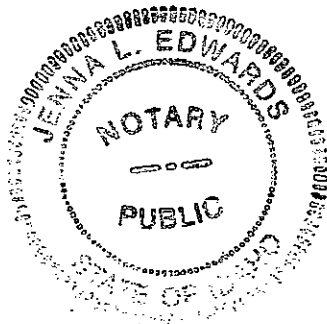
STATE OF IDAHO)

SS

COUNTY OF WASHINGTON)

On the 1st day of Dec, 2009, before me, the undersigned, a Notary Public in and for said State personally appeared KERMIT R. WIGGINS and JOANA R. WIGGINS, Grantors, known to me to be the persons whose names were subscribed to the foregoing instrument and acknowledged to me that they executed the same.

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



Jenna L. Edwards
Notary Public for said State
Residing at: Pagetty
My commission expires: 3/27/2015

accommodation

213953

QUIT CLAIM DEED

Instrument # 213953
STATE OF IDAHO, COUNTY OF WASHINGTON
12-18-2009 03:40:00 No. of Pages: 1
Recorded for : AMERITITLE
BETTY J THOMAS Fee: 3.00
Ex-Officio Recorder: Deputy *Jessie McKnight*
Index to: DEED

BRETT NEWBOLD, Grantor, does hereby deed his interest to KERMIT L. WIGGINS and JOANA R. WIGGINS, husband and wife, Grantees, whose address is: 3460 Rush Creek Road, Cambridge, ID 83610, in the following described water rights associated with said real property situated in the County of Washington:

Any and all interest Grantor may have, if any, in storage and irrigation water rights under permit numbers 67-4515 and splits there from, 67-14585, 67-14586, 67-7704 and splits there from, 67-14587, 67-14588, and 67-7723, and splits there from, 64-14591, 67-14592.

TO HAVE AND TO HOLD the said water rights, with their appurtenances unto the said Grantees, their heirs and assigns forever.

IN WITNESS WHEREOF the said Grantor has hereunto set his hand and seal on this 18 day of December, 2009.

Brett Newbold
BRETT NEWBOLD

STATE OF IDAHO)

SS

COUNTY OF WASHINGTON)

On the 18 day of December, 2009, before me, the undersigned, a Notary Public in and for said State personally appeared BRETT NEWBOLD, Grantor, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for and on behalf of said corporation.

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

Patty Shearer
Notary Public for said State
Residing at: Ontario, OR
My commission expires: 8-7-2013

