



Idaho Fish & Wildlife Foundation

600 South Walnut • Post Office Box 2254 • Boise, Idaho 83701-2254
(208) 344-2648 • Fax (208) 334-2148
www.ifwf.org

RECEIVED

APR 09 2008

DEPARTMENT OF
WATER RESOURCE

April 8, 2008

Ms. Darla Block
Idaho Department of Water Resources
322 East Front Street
PO Box 83720
Boise, Idaho 83720-0098

RE: Change in Ownership on Water Right Nos. 35-4271A, 35-8635A, 35-8679, 35-8782 and 35-9068

Dear Ms. Block:

This letter is in response to your correspondence of March 26, 2008 which requested information from our organization including copies of the Idaho Fish and Wildlife Foundation (Foundation) deed, title policy and legal description for land we own at Crystal Springs near American Falls Reservoir in Bingham County. Enclosed you will find a copy of the deed and title report which includes the legal description of our property.

The Foundation received the Crystal Springs property as a gift from North Fork Energy in December 2005. In the subsequent transfer of water rights associated with this property transfer, water right 35-8782 was included in the list of rights acquired from North Fork Energy. The point of diversion and place of use for this right are approximately one mile south (downstream) from our property. That transfer request was an error and by way of this letter we would like to relinquish any interest in this water right.

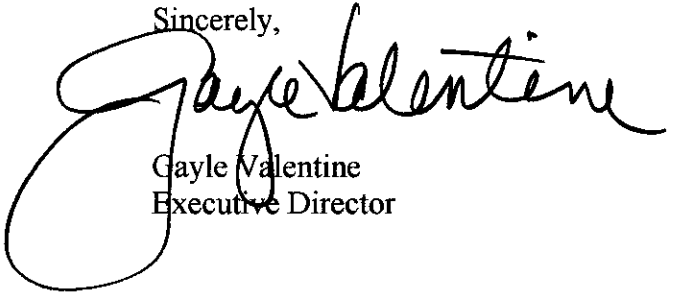
Water right 35-9068 for 3.79 cfs apparently is in the permit stage. This right, which has the same point of diversion as water right 35-8679, should be split and we would like to file for a nonconsumptive right for 35-9068 to be used for fish propagation. Please let us know what fee is required and what application process we need to follow to accomplish this action.



Printed on recycled paper

Please let me if you need further information from the Foundation in this matter. I can be reached at 208-287-2805 or you can discuss with Tom Parker at 208-287-2844.

Sincerely,

A handwritten signature in black ink, appearing to read "Gayle Valentine". The signature is fluid and cursive, with a large loop at the beginning and a long, sweeping tail.

Gayle Valentine
Executive Director

Cc: Walt Poole
Tom Frew

2005 DEC 30 PM 12:30

RECORDED AT THE REQUEST OF
Alliance Title & Escrow Corp.

562189

320507940-5

CORPORATION GIFT WARRANTY DEED

AS A CHARITABLE GIFT CONTRIBUTION WITHOUT MONETARY CONSIDERATION, **NORTH FORK ENERGY, INC.**, an Idaho corporation, as "Grantor", does hereby GRANT, BARGAIN AND CONVEY unto **IDAHO FISH AND WILDLIFE FOUNDATION, INC.**, an Idaho non-profit corporation, whose current address is P.O. Box 2254, Boise, ID 83701, as "Grantee", all of that real property situated in the County of Bingham, State of Idaho more particularly described in Exhibit "A" attached hereto and by this reference incorporated herein (the "Premises").

TOGETHER WITH all mineral rights, if any there be, water rights, without warranty as to quantity and quality thereof, and all other tenements, hereditaments, and appurtenances thereto belonging, or in anywise appertaining, and the reversions, remainders, rents, issues, and profits thereof.

TO HAVE AND TO HOLD the said Premises with their appurtenances unto the said Grantee, and Grantee's successors and assigns forever. The Grantor does hereby covenant to and with the Grantee that Grantor is the owner in fee simple of said Premises; that said Premises are free from all encumbrances except the lien of current year's taxes and assessments, and easements, restrictions and reservations of record; and that Grantor will warrant and defend the same from any lawful claims whatsoever.

DATED: December 28, 2005.

GRANTOR:

NORTH FORK ENERGY, INC.

Linda L. Yanke
Linda L. Yanke, President

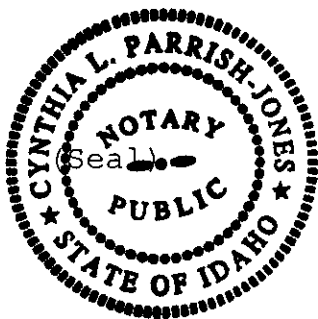
ATTEST:

Richard D. Heaton
Richard D. Heaton, Secretary

STATE OF IDAHO)
) ss
County of ADA)

On this 29th day of December, 2005, before me, the undersigned Notary Public for the state of Idaho, personally appeared **LINDA L. YANKE and RICHARD D. HEATON**, President and Secretary respectively, of **NORTH FORK ENERGY, INC.**, the corporation which executed the foregoing document, known or identified to me to be the persons whose names are subscribed to the forgoing document, and acknowledged to me that they executed the same for and on behalf of the corporation and in its name.

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



Cynthia L. Parrish-Jones
Notary Public for the state of Idaho
Boise
Residing at: Meridian, Idaho
My commission expires: 7/25/2009

Exhibit "A"

Parcel I:

Part of the Northeast ¼ of Section 24, Township 4 South, Range 32, East, Boise Meridian, Bingham County, Idaho, described as:

Beginning at a Point on the West line of a county road that is South 0°13'14" West 1001.26 feet along the section line and North 89°40'08" West 57.90 feet from the Northeast corner of said section 24 and running thence South 1°11'42" West 1128.14 feet along said West line to the North line of a county road; thence South 80°53'08" West 813.33 feet along said North line; thence South 81°36'36" West 753.22 feet along said North line; thence North 2°55'53" West 1377.93 feet; thence South 89°40' 08" East 1642.24 feet to the Point of Beginning.

Parcel II:

Part of the East ½ of the Section 24, Township 4 South, Range 32, East, Boise Meridian, Bingham County, Idaho, described as follows:

Beginning at a Point in an existing north-south fence line that is North 00°13'14" East 1615.08 feet along the section line and North 89°34'12" West 33.14 feet from the Southeast corner of said Section 24 and running thence North 01°42'30" West 1509.49 feet along said existing fence line to the South line of an existing County Road; thence South 81°36'31" West 714.85 feet along said South line; thence South 02°48'39" West 834.28 feet; thence South 30°55'57" West 426.02 feet; thence South 44°54'25" West 277.78 feet; thence South 89°34'12" East 1208.22 feet to the Point of Beginning.

EXCEPTING THEREFROM:

Part of the east ½ of Section 24, Township 4 South, Range 32, East, Boise Meridian, Bingham County, Idaho, described as:

Beginning at a Point in an existing East west fence line that is North 0°13'14" East 1615.08 feet along the section line and North 89°34'12" West 177.66 feet from the Southeast corner of said Section 24 and running thence North 89°34'12" West 1063.71 feet; thence North 44°54'05" East 124.50 feet to an existing fence line; thence South 84°22'19" East 980.51 feet along said fence line to the Point of Beginning.

562189

EXHIBIT "B"
WATER RIGHTS

- 35-4271 50 cfs beneficial use for fish propagation and is non-consumptive.
- 35-8635 .72 cfs beneficial use for fish propagation and is non-consumptive.
- 35-8782 4.64 cfs beneficial use for fish propagation and is non-consumptive.
- 35-9068 3.79 cfs beneficial use for fish propagation and is non-consumptive.
- 35-8679 1 cfs for commercial purposes at the processing plant.

OWNER'S POLICY

SCHEDULE A

Order Number	Policy Number	Date of Policy	Amount of Insurance	Premium Amount
3020507940-S	72106-1319849	December 30, 2005 At 12:30PM	\$1,620,000.00	\$4,020.00

1. Name of Insured:

Idaho Fish and Wildlife Foundation, Inc.

2. The estate or interest in the land which is covered by this policy is:

Fee Simple

3. Title to the estate or interest in the land is vested in:

Idaho Fish and Wildlife Foundation, Inc., an Idaho Non-profit Corporation

4. The land referred to in this policy is described as follows:

See Exhibit "A" Attached

Exhibit "A"

Parcel I:

Part of the Northeast ¼ of Section 24, Township 4 South, Range 32, East, Boise Meridian, Bingham County, Idaho, described as:

Beginning at a Point on the West line of a county road that is South 0°13'14" West 1001.26 feet along the section line and North 89°40'08" West 57.90 feet from the Northeast corner of said section 24 and running thence South 1°11'42" West 1128.14 feet along said West line to the North line of a county road; thence South 80°53'08" West 813.33 feet along said North line; thence South 81°36'36" West 753.22 feet along said North line; thence North 2°55'53" West 1377.93 feet; thence South 89°40' 08" East 1642.24 feet to the Point of Beginning.

Parcel II:

Part of the East ½ of the Section 24, Township 4 South, Range 32, East, Boise Meridian, Bingham County, Idaho, described as follows:

Beginning at a Point in an existing north-south fence line that is North 00°13'14" East 1615.08 feet along the section line and North 89°34'12" West 33.14 feet from the Southeast corner of said Section 24 and running thence North 01°42'30" West 1509.49 feet along said existing fence line to the South line of an existing County Road; thence South 81°36'31" West 714.85 feet along said South line; thence South 02°48'39" West 834.28 feet; thence South 30°55'57" West 426.02 feet; thence South 44°54'25" West 277.78 feet; thence South 89°34'12" East 1208.22 feet to the Point of Beginning.

EXCEPTING THEREFROM:

Part of the east ½ of Section 24, Township 4 South, Range 32, East, Boise Meridian, Bingham County, Idaho, described as:

Beginning at a Point in an existing East west fence line that is North 0°13'14" East 1615.08 feet along the section line and North 89°34'12" West 177.66 feet from the Southeast corner of said Section 24 and running thence North 89°34'12" West 1063.71 feet; thence North 44°54'05" East 124.50 feet to an existing fence line; thence South 84°22'19" East 980.51 feet along said fence line to the Point of Beginning.

END OF SCHEDULE A

OWNER'S POLICY

Order No: 3020507940-S
Policy No: 72106-1319849

SCHEDULE B PART I

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

General Exceptions:

1. Rights or claims of parties in possession not shown by the public records.
2. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey or inspection of the premises including, but not limited to, insufficient or impaired access or matters contradictory to any survey plat shown by the public records.
3. Easements, or claims of easement, not shown by the public records.
4. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
6. Taxes or special assessments which are not shown as existing liens by the public records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

SCHEDULE B PART II

Special Exceptions:

1. Levies and assessments of the Aberdeen-Springfield Canal Company Irrigation District, and the rights, powers and easements of said district as by law provided.
2. Levies and assessments of the American Falls Reservoir Irrigation District, and the rights, powers and easements of said district as by law provided.
3. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted to: Idaho Power Company.
Purpose: Public Utilities.
Recorded: April 11, 1972.
Book 12 as Instrument No.: 168948 of Official Records.
4. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted to: Idaho Power Company.
Purpose: Public Utilities.
Recorded: March 11, 1975.
Instrument No.: 198965 of Official Records.

5. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted to: Idaho Power Company.
Purpose: Public Utilities.
Recorded: August 15, 1988.
Instrument No.: 373833 of Official Records.
6. Right, title and interest of the Public in and to those portions of above described property falling within the bounds of roads and highways.

END OF SCHEDULE B

Countersigned

Authorized Signature