

Fredericksen, Williams, Meservy & Lothspeich, LLP
Attorneys at Law

153 East Main Street
Post Office Box 168
Jerome, Idaho 83338-0168



ROBERT E. WILLIAMS
JAMES C. MESERVY
JOHN B. LOTHSPICH

TELEPHONE: (208) 324-2303
TELECOPIER: (208) 324-3135
E-MAIL: REWILLIAMS@CABLEONE.NET

EUGENE D. FREDERICKSEN - RETIRED

December 20th, 2007

State of Idaho
Department of Water Resources
Attn: Diana L. Ball, Water Allocation Bureau
Post Office Box 83720
Boise, Idaho 83720-0098

RECEIVED
DEC 21 2007
DEPARTMENT OF
WATER RESOURCES

Re: Hagerman Wings Farm, LLC/Cottonwood Mutual Canal
Water Right Nos: 2-10337 & 2-10338

Dear Ms. Ball:

I have been provided a copy of your letter to Cottonwood Mutual Canal Company concerning water rights 2-10337 and 2-10338, dated November 29, 2007.

I represent Hagerman Wings Farms, LLC, who is now the owner of water right number 2-10338. I have enclosed a copy of the recorded water deed, and a copy of a notice of completion of administrative proceeding, confirming my client's ownership of water right 2-10338.

On behalf of Hagerman Wings Farms, LLC, please release water right number 2-10338 from the water supply bank in accordance with the enclosed release form. Please let me know if you have any questions regarding this letter.

Very truly yours,

FREDERICKSEN WILLIAMS MESERVY & LOTHSPICH, LLP

ROBERT E. WILLIAMS

REW/mb
Enc.
c: Client
C:\share\data\Hagerman Wings Farm, LLC\IDWR Ltr 121707.doc

DEED TO A WATER RIGHT

FOR VALUABLE CONSIDERATION, the receipt and sufficiency whereof are hereby acknowledged, Cottonwood Mutual Canal Company, an Idaho corporation, also known as Cottonwood Canal Company, does hereby grant and convey unto Hagerman Wings Farm, LLC, an Idaho Limited Liability Company, a water right for .60 cfs of the waters of the Snake River, with priority date of February 25, 1963, being that part of the water right evidenced by Water License No. 30990/02-2209 that originally was appurtenant to the following 30 acres of land in Township 6 South, Range 11 East, B.M., Elmore County, Idaho described in the place of use of said license:

Section 7, NENW, 30 acres.

TO HAVE AND TO HOLD, all and singular the above mentioned and described property together with the appurtenances unto John and Beverly Shaw, and to their successors and assigns forever.

IN WITNESS WHEREOF, the name of Cottonwood Canal Company has been hereunto subscribed by Daniel V. Steenson and Charles L. Honsinger, the President and a Director, respectively, of Cottonwood Mutual Canal Company, having been thereunto duly authorized by resolution of the Board of Director of that corporation, this 21st day of June, 2006.

Instrument # 223444

GOODING, GOODING, IDAHO
2007-09-19 01:55:45 No. of Pages: 2
Recorded for : GOODING TITLE
DENISE M. GILL Fee: 6.00
Ex-Officio Recorder Deputy

COTTONWOOD MUTUAL CANAL COMPANY
(Also known as Cottonwood Canal Company)

By Charles L. Honsinger
President

ATTEST:

Charles L. Honsinger
Director

CAMAS COUNTY
RECORDED FOR:
CAMAS COUNTY TITLE
11:22:32 am 09-19-2007
2007-080946
NO. PAGES: 2 FEE: \$6.00
ROLLIE BENNETT
COUNTY CLERK
DEPUTY: SCAM

DEED TO A WATER RIGHT - 1

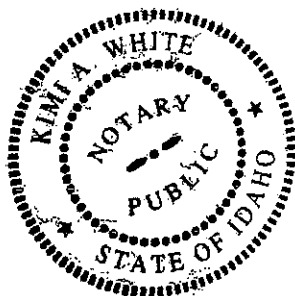
STATE OF IDAHO)

) ss.

County of Ada)

On this 21st day of June, 2006, before me, the undersigned, a notary public in and for said state, personally appeared Daniel V. Steenson and Charles L. Honsinger, known or identified to me to be the President and a Director, respectively, of Cottonwood Mutual Canal Company, the Idaho corporation that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.

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



Kim A. White
Notary Public for Idaho
Residing at Boise, Idaho
My Commission Expires 04/01/10

September 19, 2007

Cottonwood Mutual Canal Company
c/o Charles L. Honsinger
Ringert Clark
455 South Third Street
Boise, ID 83701

RE: Cottonwood Canal/Hagerman Wings Farm

Dear Mr. Honsinger:

Enclosed please find our check # 14016 in the amount of \$30,000 00, representing the sale proceeds from the sale of the water right. Also enclosed is a copy of the recorded Deed for Water Right.

Thank you for your assistance in this matter. If you or your client have any questions, please do not hesitate to contact me directly.

Sincerely,

Jarrod T. Ball
Vice-president
Twin Falls Title & Escrow Company
Gooding Title & Escrow Company
Camas County Title, L.L.C.

/encl

September 19, 2007

Robert E. Williams
Fredericksen, Williams, Meservy & Lothspeich, LLP
153 East Main
P.O. Box 168
Jerome, ID 83338

RE: Cottonwood Canal/Hagerman Wings Farm

Dear Rob:

Enclosed please find our check #14017 in the amount of \$56 92, representing the net interest from the earnest money deposited. The total of the interest earned was \$162 92, from which we deducted our fee of \$100 00 and the \$6.00 to record the deed

Also enclosed is the original recorded Deed for Water Right, filed of record in Gooding County per your instructions. I noted that the original base property on the deed is listed as Elmore County property. If you wish to have the deed also recorded in that county, please contact me and we will make arrangements to file in Elmore.

Thank you for your assistance in this matter. If you or your client have any questions, please do not hesitate to contact me directly

Sincerely,

Jarrold T Ball
Vice-president
Twin Falls Title & Escrow Company
Gooding Title & Escrow Company
Camas County Title, L.L.C

/encl

COPY

RECEIVED

AUG 21 2007

Department of Water Resources
Adjudication Bureau

DISTRICT COURT SRBA
TWIN FALLS CO., IDAHO
FILED _____

2007 AUG 20 AM 10 56

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

) Water Rights: 2-10208 (Split)
) 2-10337, 2-10338
)

Case No. 39576

) NOTICE OF COMPLETED
) ADMINISTRATIVE
) PROCEEDING
)

IDWR has completed the following administrative proceeding:

☐ Address change

☐ Substitution of Party

☐ Split of water right

☐ Change in ownership

☒ IC § 42-222 transfer

☒ Point of diversion

☒ Place of use

☐ Period of use

☐ Nature of use

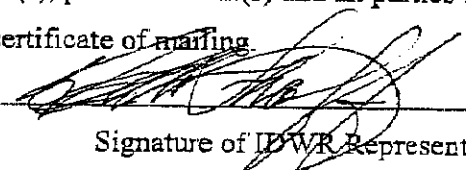
☒ Split of water right

☐ Change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water right listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: Aug 15, 2007



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on August 16, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

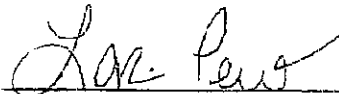
Clive Strong
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

3. Copies to all parties to the subcase:

Cottonwood Mutual Canal Co.
c/o Ringert Clark, Chtd
P.O. Box 2773
Boise, ID 83701

Hagerman Wings Farm, LLC
823 E. 2700 S.
Hagerman, ID 83332



Signature of person mailing this document

08/15/2007

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
2-10208	COTTONWOOD MUTUAL CANAL CO C/O RINGERT CLARK CHARTERED PO BOX 2773 BOISE ID 83701	Disallowed	Split into 2-10337, 2-10338

08/15/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 2-10337

NAME AND ADDRESS: COTTONWOOD MUTUAL CANAL CO
C/O RINGERT CLARK CHARTERED
PO BOX 2773
BOISE ID 83701

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 48.560 CFS
9 712 00 AFY

PRIORITY DATE: 02/25/1963

POINT OF
DIVERSION:

T06S R11E S9 NWSW Lot 6 Within ELMORE County

PURPOSE AND
PERIOD OF USE:PURPOSE OF USEPERIOD OF USEQUANTITY

IRRIGATION

04/01 10/31

48.560 CFS
9 712.00 AFY

PLACE OF USE:

IRRIGATION in ELMORE County

T06S R10E S01	NESW	35 00	T06S R10E S01	SWSW	40.00
T06S R10E S01	SESW	14.50	T06S R10E S02	SESE	40.00
T06S R10E S11	NWNE	40 00	T06S R10E S11	NENW	40.00
T06S R10E S11	SENW	40 00	T06S R10E S12	SENE	18.50
T06S R10E S12	NENW	40.00	T06S R10E S12	NWNW	40.00
T06S R10E S12	SWNW	40 00	T06S R10E S12	SENW	40.00
T06S R10E S12	NWSW	20.00	T06S R10E S12	SWSW	40 00
T06S R10E S12	SESW	40.00	T06S R10E S12	NESE	40.00
T06S R10E S12	NWSE	40.00	T06S R10E S12	SWSE	40.00
T06S R10E S12	SESE	40.00	T06S R10E S13	NENE	40 00
T06S R10E S13	NWNE	40 00	T06S R10E S13	SWNE	40.00
T06S R10E S13	SENE	40 00	T06S R10E S13	NENW	40 00
T06S R10E S13	NWNW	40 00	T06S R10E S13	SWNW	40.00
T06S R10E S13	SENW	40 00	T06S R10E S13	NESW	40 00
T06S R10E S13	NWSW	40.00	T06S R10E S13	NESE	40 00
T06S R10E S13	NWSE	40 00	T06S R10E S13	SWSE	40 00
T06S R10E S13	SESE	40.00	T06S R10E S24	NENE	40 00
T06S R10E S24	NWNE	40.00	T06S R10E S24	SWNE	40 00
T06S R10E S24	SENE	40 00	T06S R10E S24	NESE	40.00
T06S R10E S24	NWSE	40 00	T06S R11E S06 Lot 7	SWSW	10 00
T06S R11E S07	NENE	25 00	T06S R11E S07	NWNE	25.00
T06S R11E S07	SWNE	40 00	T06S R11E S07	SENE	40.00
T06S R11E S07	NENW	30 00	T06S R11E S07 Lot 1	NWNW	38.00
T06S R11E S07 Lot 2	SWNW	38 00	T06S R11E S07	SENW	40.00
T06S R11E S07	NESW	40 00	T06S R11E S07 lot 3	NWSW	38.00
T06S R11E S07 Lot 4	SWSW	38.00	T06S R11E S07	SESW	40 00

T06S R11E S07	NESE	40.00	T06S R11E S07	NWSE	40.00
T06S R11E S07	SWSE	40.00	T06S R11E S07	SESE	40.00
T06S R11E S17	NWNW	40.00	T06S R11E S17	SWNW	40.00
T06S R11E S17	NWSW	40.00	T06S R11E S18	NENE	40.00
T06S R11E S18	NWNE	40.00	T06S R11E S18	SWNE	40.00
T06S R11E S18	SENE	40.00	T06S R11E S18	NENW	40.00
T06S R11E S18 Lot 1	NWNW	38.00	T06S R11E S18 Lot 2	SWNW	38.00
T06S R11E S18	SENW	40.00	T06S R11E S18	NESW	40.00
T06S R11E S18 Lot 3	NWSW	38.00	T06S R11E S18 Lot 4	SWSW	38.00
T06S R11E S18	SESW	40.00	T06S R11E S19 Lot 2	SWNW	39.00
T06S R11E S19	NESW	40.00	T06S R11E S19 Lot 3	NWSW	39.00
T06S R11E S19	SESW	40.00	T06S R11E S19	NESE	40.00
T06S R11E S19	NWSE	40.00	T06S R11E S19	SWSE	40.00
T06S R11E S19	SESE	40.00	T06S R11E S20	NWSW	40.00
T06S R11E S20	SWSW	40.00			

3080 ACRES TOTAL

This right is limited to the irrigation of 2428 acres within the place of use described above in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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(5), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a split from former right 02-2209 and from recommended right 2-10208.

08,15/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 2-10338

NAME AND ADDRESS: COTTONWOOD MUTUAL CANAL CO
C/O RINGERT CLARK CHARTERED
PO BOX 2773
BOISE ID 83701

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.600 CFS
120.00 AFY

All rights combined, when applied to these lands via sprinklers, shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

Rights 2-10338, 36-98 and 36-15467 when combined shall not exceed a total diversion rate of 10.55 cfs, a total annual maximum diversion volume of 484.0 af at the field headgate

PRIORITY DATE: 02/25/1963

POINT OF DIVERSION: T07S R13E S16 NESE Lot 3 Within GOODING County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	0.600 CFS 120.00 AFY

The use of water for irrigation under this right may begin as early as February 15 and may continue to as late as November 30, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in GOODING County

T07S R13E S15 Lot 5 SSWW	28.00	T07S R13E S15	SESW	37.00	
T07S R13E S15	NESW	23.00	T07S R13E S15	NWSW	
T07S R13E S15	SWSW	40.00	T07S R13E S15	SESW	11.00
T07S R13E S16 Lot 3 SENE	3.00	T07S R13E S16 Lot 3 NESE		20.00	

202 ACRES TOTAL

This right is limited to the irrigation of 30 acres within the place of use described above in a single irrigation season.

Rights 2-10338, 36-98 and 36-15467 when combined shall not exceed the irrigation of 121 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

Prior to diversion of water under this water right, the right holder shall submit to the Department a diagram identifying the specific location of the 121.0 acres authorized for irrigation annually, and prior to the irrigation season any year when irrigated acres will be different than previously identified.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department

Failure of the right holder to comply with the elements and conditions of this water right as authorized under this transfer is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

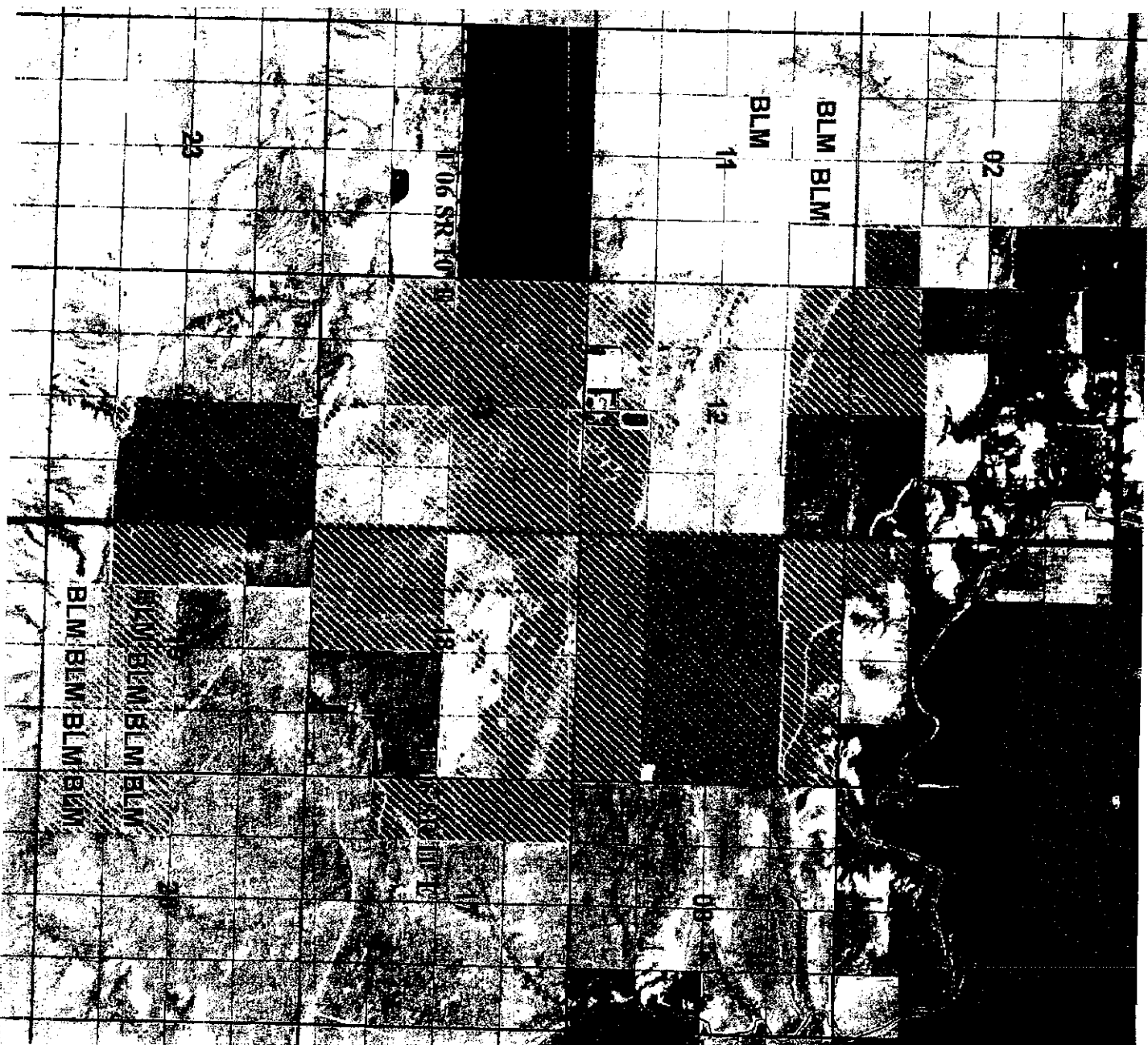
Pedigree Search (History of Water Right Number splits)

Adjudication Pedigree for 2-2209

- Water Right Number / Status /Reason for split
- 2-2209 /See Remarks /Ownership Change
 - 2-2209A /See Remarks /Transfer
 - 2-2209D /Parent /Transfer
 - 2-10186 /Parent /Ownership Change
 - 2-10188 /Parent /Transfer
 - 2-10190 /Parent /Transfer
 - 2-10195 /Parent /Transfer
 - 2-10208 /Parent /Transfer
 - 2-10337 /Active /Transfer
 - 2-10338 /Active /Transfer
 - 2-10209 /Active /Transfer
 - 2-10196 /Active /Transfer
 - 2-10191 /Active /Transfer
 - 2-10189 /Active /Ownership Change
 - 2-10187 /Active /Transfer
 - 2-2209E /Active /Transfer
 - 2-2209B /Active /Ownership Change
 - 2-2209C /Active /Ownership Change

Water Right Pedigree for 2-2209

02-10208; Cottonwood Mutual Canal Co.



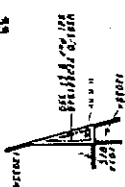
POUs on BLM:
 -The places of use on BLM are not authorized.

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES[illegible][illegible]

172810 SANAAI 0717 976
SIGRZ LIMA R 9, EEEJ33E1
SMY: 6465441
SUD: EEEJ33E1
SUM: EEEJ33E1
SUOO: EEEJ33E1, FRRHZESE1

ID: A5023 Not in File
 Historical Information only, does not denote
 Public Access
 ID: A5023 ECR: Pw Pw: Wt: 11020
 Sec 2: NAB

ENLARGED DIAGRAM



10

SCALE in bold

PCQ OWNERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LAND REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

DATE PLANT:	DEC. 12 2002	CURRENT TO
-------------	--------------	------------

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITHDRAWAL ORDER.

Polen Map
T. 100.73
R. 13.5

12/28/2006

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 2-10208

NAME AND ADDRESS: COTTONWOOD MUTUAL CANAL CO
C/O RINGERT CLARK CHARTERED
PO BOX 2773
BOISE ID 83701

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 49.160 CFS
9,832.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 90.24 CFS. COMBINED RIGHT NOS.: 2-103, 2-4021,
AND ALL PARTS OF BASE RIGHT 2-2209 INCLUDING 2-2209B, 2-2209C,
2-2209E, 2-10137, 2-10189, 2-10191, 2-10196, 2-10208, & 2-10209.

PRIORITY DATE: 02/25/1963

POINT OF
DIVERSION: T06S R11E S9 NWSW Lot 6 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	49.160 CFS 9,832.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER
15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE
USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO
SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE
EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION in ELMORE County

BLM	T06S R10E S01	NESW	35.00	T06S R10E S01	SWSW	40.00	BLM
	T06S R10E S01	SESW	14.50	T06S R10E S02	SESE	40.00	
	T06S R10E S11	NWNE	40.00	T06S R10E S11	NENW	40.00	
	T06S R10E S11	SENW	40.00	T06S R10E S12	SENE	18.50	
	T06S R10E S12	NENW	40.00	T06S R10E S12	NWNW	40.00	
	T06S R10E S12	SWNW	40.00	T06S R10E S12	SENW	40.00	
	T06S R10E S12	NWSW	20.00	T06S R10E S12	SWSW	40.00	
	T06S R10E S12	SESW	40.00	T06S R10E S12	NESE	40.00	
	T06S R10E S12	NWSE	40.00	T06S R10E S12	SWSE	40.00	
	T06S R10E S12	SESE	40.00	T06S R10E S13	NENE	40.00	
	T06S R10E S13	NWNE	40.00	T06S R10E S13	SWNE	40.00	
	T06S R10E S13	SENE	40.00	T06S R10E S13	NENW	40.00	
	T06S R10E S13	NWNW	40.00	T06S R10E S13	SWNW	40.00	
	T06S R10E S13	SENW	40.00	T06S R10E S13	NESW	40.00	
	T06S R10E S13	NWSW	40.00	T06S R10E S13	NESE	40.00	
	T06S R10E S13	NWSE	40.00	T06S R10E S13	SWSE	40.00	
	T06S R10E S13	SESE	40.00	T06S R10E S24	NENE	40.00	
	T06S R10E S24	NWNE	40.00	T06S R10E S24	SWNE	40.00	
	T06S R10E S24	SENE	40.00	T06S R10E S24	NESE	40.00	
	T06S R10E S24	NWSE	40.00	T06S R11E S06 Lot 7	SWSW	10.00	

T06S R11E S07	NENE	25 00	T06S R11E S07	NWNE	25 00
T06S R11E S07	SWNE	40 00	T06S R11E S07	SENE	40 00
T06S R11E S07	NENW	30 00	T06S R11E S07 Lot 1	NWNW	38 00
T06S R11E S07 Lot 2	SWNW	38 00	T06S R11E S07	SENW	40 00
T06S R11E S07	NESW	40 00	T06S R11E S07 Lot 3	NWSW	38 00
T06S R11E S07 Lot 4	SWSW	38 00	T06S R11E S07	SESW	40 00
T06S R11E S07	NESE	40 00	T06S R11E S07	NWSE	40 00
T06S R11E S07	SWSE	40 00	T06S R11E S07	SESE	40 00
T06S R11E S17	NWNW	40 00	T06S R11E S17	SWNW	40 00
T06S R11E S17	NWSW	40 00	T06S R11E S18	NENE	40 00
T06S R11E S18	NWNE	40 00	T06S R11E S18	SWNE	40 00
T06S R11E S18	SENE	40 00	T06S R11E S18	NENW	40 00
T06S R11E S18 Lot 1	NWNW	38 00	T06S R11E S18 Lot 2	SWNW	38 00
T06S R11E S18	SENW	40 00	T06S R11E S18	NESW	40 00
T06S R11E S18 Lot 3	NWSW	38 00	T06S R11E S18 Lot 4	SWSW	38 00
T06S R11E S18	SESW	40 00	T06S R11E S19 Lot 2	SWNW	39 00
T06S R11E S19	NESW	40 00	T06S R11E S19 Lot 3	NWSW	39 00
T06S R11E S19	SESW	40 00	T06S R11E S19	NESE	40 00
T06S R11E S19	NWSE	40 00	T06S R11E S19	SWSE	40 00
T06S R11E S19	SESE	40 00	T06S R11E S20	NWSW	40 00
T06S R11E S20	SWSW	40 00			

BLM

BLM

3080 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2458 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Approval of transfer 69980 does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 02-2209.

POUs on BLM:

-The places of use on BLM are not authorized.

02-10208 → 02-10337

COTTONWOOD MUTUAL CANAL CO

B02 Irrigation and Other D.R. -Final
Objection Candidate -POU Hits

Land Ownership

Twn	Rge	Sec	QQ	Qtr	Lot	Subcase	Mix	P/T	BLM	FS	BOR	OtherFed	State
06S	10E												
06S	10E												
06S	10E	11	NW	NE		02-10208			☒				
06S	10E	11	NE	NW		02-10208			☒				
06S	10E	11	SE	NW		02-10208			☒				
06S	11E												
06S	11E												
06S	11E	19	NE	SE		02-10208			☒				
06S	11E	19	NW	SE		02-10208			☒				
06S	11E	19	SE	SE		02-10208			☒				
06S	11E	19	SW	SE		02-10208			☒				
06S	11E	19	NE	SW		02-10208			☒				
06S	11E	19	SE	SW		02-10208			☒				
06S	11E	20	NW	SW		02-10208			☒				
06S	11E	20	SW	SW		02-10208			☒				

FORM NO. 42-1762-03
02/07STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESBOARD'S WATER SUPPLY BANK
REQUEST TO RELEASE OR LEASE TERM EXTENSION FORM

The Idaho Department of Water Resources considers this form a statement that the lessor requests a change in the status of a Water Supply Bank ("bank") lease for the water right identified below. Please note, a right will remain in the bank for the accepted lease period unless released earlier by the Water Resource Board or until the lessor submits a request to the department in writing to release the right from the bank. If a water right is currently being rented, the right, or portion thereof, must remain in the bank for the duration of the rental agreement.

Water Right No: 2-10338 Telephone No: (208) 837-9153Name(s) of Lessor: Hagerman Wings Farm, LLCMailing Address: 823 E. 2700 S.City: Hagerman State: Idaho Zip: 83332

REQUEST TO RELEASE A WATER RIGHT FROM THE BANK:

Requested Release Date: 01-01-2007Release all or part of the leased portion of the water right: All ☒ Part ☐

*If releasing only a part of leased portion of the right, please attach a clear description of the portion remaining in the bank.

I (we), the lessor(s) request that the above water right be released from the Water Supply Bank.

Signature of Lessor(s): [Signature] Title: Attorney for LessorDate: 12-20-2007 Title: _____

REQUEST TO EXTEND THE TERM OF LEASE:

Current Expiration Date: _____

Requested Expiration Date: _____

Extend lease term for all or part of the leased portion of the water right:

All ☐ Part ☐

*If extending the lease term for only a part of leased portion of the right, please attach a clear description of the portion remaining in the bank.

I (we), the lessor(s) request that the above water right be extended through the date referenced above

Signature of Lessor(s) _____ Title: _____

Date: _____ Title: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
2-10338					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)	Cottonwood Mutual Canal Co. c/o Ringert Clark Chtd. POB 2773 Boise, ID 83701
4. New Owner/Claimant(s)	Hagerman Wings Farm, LLC Name Connector (Check one): ☐ and ☐ or ☐ and/or
New Mailing Address	823 E. 2700 S.
City, State and ZIP Code	Hagerman, ID 83332
New Telephone Number	(208) 837-9153 Email: _____

5 Date you acquired the property _____

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7 Signature(s) of New Owner(s) or Claimant(s) _____

(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by _____

Date _____

Receipt Amt _____

Received by _____

Date _____

Receipt No. _____

Processed by _____ AJ

Date _____

WR _____ Date _____

DEED TO A WATER RIGHT

FOR VALUABLE CONSIDERATION, the receipt and sufficiency whereof are hereby acknowledged, Cottonwood Mutual Canal Company, an Idaho corporation, also known as Cottonwood Canal Company, does hereby grant and convey unto Hagerman Wings Farm, LLC, an Idaho Limited Liability Company, a water right for 60 cfs of the waters of the Snake River, with priority date of February 25, 1963, being that part of the water right evidenced by Water License No. 30990/02-2209 that originally was appurtenant to the following 30 acres of land in Township 6 South, Range 11 East, B.M., Elmore County, Idaho described in the place of use of said license:

Section 7, NENW, 30 acres.

TO HAVE AND TO HOLD, all and singular the above mentioned and described property together with the appurtenances unto John and Beverly Shaw, and to their successors and assigns forever.

IN WITNESS WHEREOF, the name of Cottonwood Canal Company has been hereunto subscribed by Daniel V. Steenson and Charles L. Honsinger, the President and a Director, respectively, of Cottonwood Mutual Canal Company, having been thereunto duly authorized by resolution of the Board of Director of that corporation, this 21st day of June, 2006.

Instrument # 223444

GOODING, GOODING, IDAHO
2007-09-19 01:55:45 No. of Pages: 2
Recorded for : GOODING TITLE
DENISE M. GILL Fee: 6.00
Ex-Officio Recorder Deputy

COTTONWOOD MUTUAL CANAL COMPANY
(Also known as Cottonwood Canal Company)

By *Daniel Steenson*
President

ATTEST:

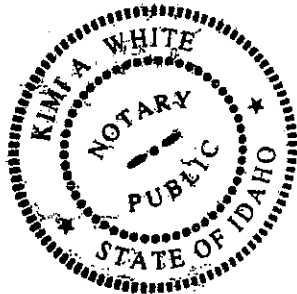
Charles L. Honsinger
Director

CAMAS COUNTY
RECORDED FOR:
CAMAS COUNTY TITLE
11:22:32 am 09-19-2007
2007-080946
NO. PAGES: 2 FEE: \$6.00
ROLLIE BENNETT
COUNTY CLERK
DEPUTY: SCAM

STATE OF IDAHO)
) ss.
County of Ada)

On this 21st day of June, 2006, before me, the undersigned, a notary public in and for said state, personally appeared Daniel V. Steenson and Charles L. Honsinger, known or identified to me to be the President and a Director, respectively, of Cottonwood Mutual Canal Company, the Idaho corporation that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.

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



Kim A. White
Notary Public for Idaho
Residing at Boise, Idaho
My Commission Expires 04/01/10

September 19, 2007

Cottonwood Mutual Canal Company
c/o Charles L. Honsinger
Ringert Clark
455 South Third Street
Boise, ID 83701

RE: Cottonwood Canal/Hagerman Wings Farm

Dear Mr Honsinger:

Enclosed please find our check # 14016 in the amount of \$30,000 00, representing the sale proceeds from the sale of the water right. Also enclosed is a copy of the recorded Deed for Water Right.

Thank you for your assistance in this matter. If you or your client have any questions, please do not hesitate to contact me directly.

Sincerely,

Jarrold T. Ball
Vice-president
Twin Falls Title & Escrow Company
Gooding Title & Escrow Company
Camas County Title, L.L.C.

/encl

September 19, 2007

Robert E. Williams
Fredericksen, Williams, Meservy & Lothspeich, LLP
153 East Main
P O. Box 168
Jerome, ID 83338

RE: Cottonwood Canal/Hagerman Wings Farm

Dear Rob:

Enclosed please find our check #14017 in the amount of \$56 92, representing the net interest from the earnest money deposited. The total of the interest earned was \$162 92, from which we deducted our fee of \$100 00 and the \$6 00 to record the deed.

Also enclosed is the original recorded Deed for Water Right, filed of record in Gooding County per your instructions. I noted that the original base property on the deed is listed as Elmore County property. If you wish to have the deed also recorded in that county, please contact me and we will make arrangements to file in Elmore.

Thank you for your assistance in this matter. If you or your client have any questions, please do not hesitate to contact me directly.

Sincerely,

Jarrold I. Ball
Vice-president
Twin Falls Title & Escrow Company
Gooding Title & Escrow Company
Camas County Title, L.L.C.

/encl.