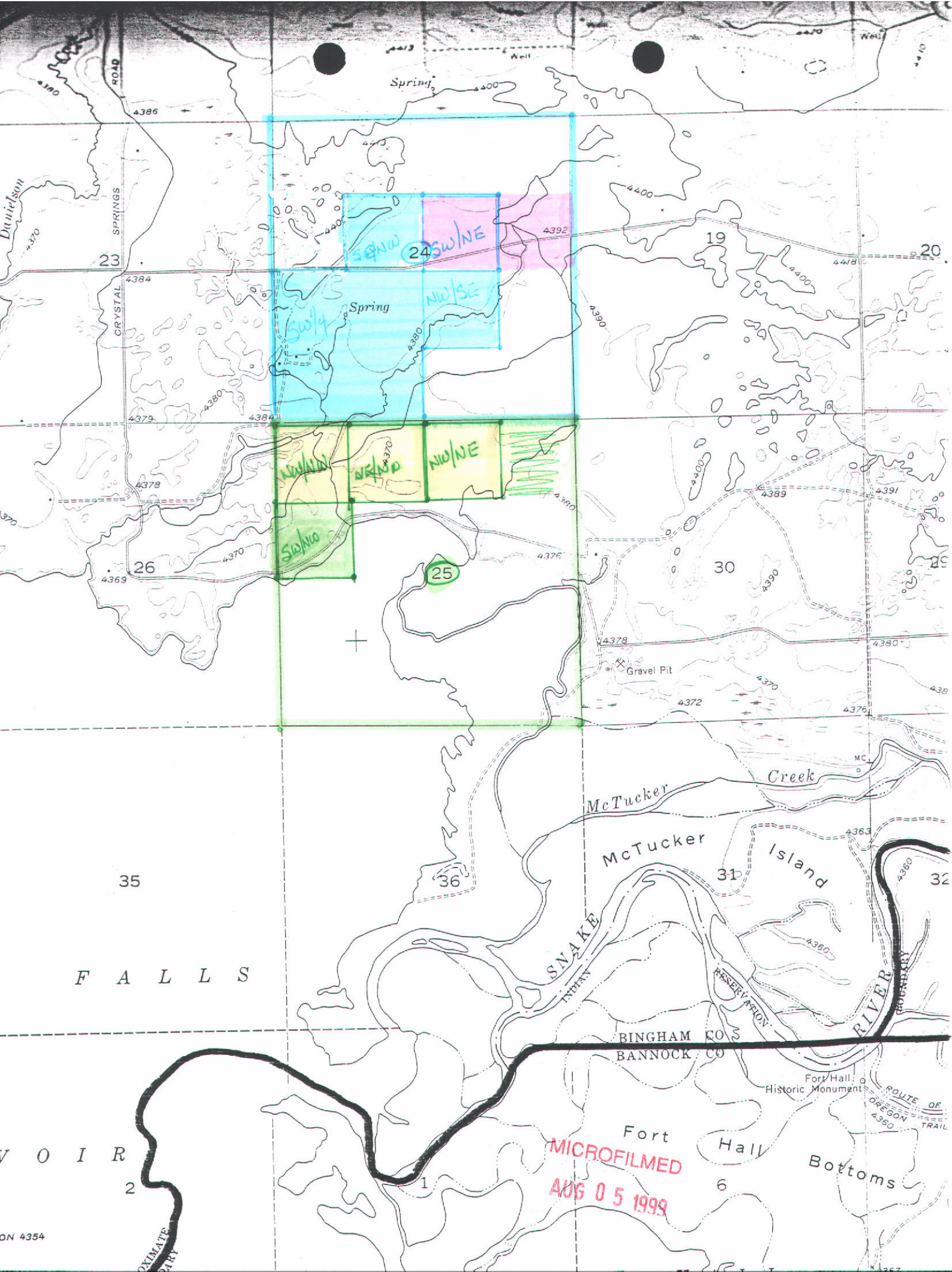




Plat Map

26

Part of
SECTION 24, T.4 S. R.32 E. B.M.
BINGHAM COUNTY, IDAHO

SURVEYORS CERTIFICATE

Eric M. Leavitt, a Registered Professional Land Surveyor in the State of Idaho, do hereby certify that this plat is an accurate representation of the survey completed under my supervision.

Eric M. Leavitt
Eric M. Leavitt, License #14363 Date 11/1/62

RECORDERS CERTIFICATE

Instrument No. _____
Date of Day 5 1966
Recorded in Bingham County, Idaho

County Recorder

LINE	BEARING	DISTANCE	BEARING	DISTANCE	
1	N 89° 15' 00" E	100.00	1	N 89° 15' 00" E	100.00
2	S 89° 15' 00" W	100.00	2	S 89° 15' 00" W	100.00
3	N 89° 15' 00" E	100.00	3	N 89° 15' 00" E	100.00
4	S 89° 15' 00" W	100.00	4	S 89° 15' 00" W	100.00
5	N 89° 15' 00" E	100.00	5	N 89° 15' 00" E	100.00
6	S 89° 15' 00" W	100.00	6	S 89° 15' 00" W	100.00
7	N 89° 15' 00" E	100.00	7	N 89° 15' 00" E	100.00
8	S 89° 15' 00" W	100.00	8	S 89° 15' 00" W	100.00
9	N 89° 15' 00" E	100.00	9	N 89° 15' 00" E	100.00
10	S 89° 15' 00" W	100.00	10	S 89° 15' 00" W	100.00
11	N 89° 15' 00" E	100.00	11	N 89° 15' 00" E	100.00
12	S 89° 15' 00" W	100.00	12	S 89° 15' 00" W	100.00
13	N 89° 15' 00" E	100.00	13	N 89° 15' 00" E	100.00
14	S 89° 15' 00" W	100.00	14	S 89° 15' 00" W	100.00
15	N 89° 15' 00" E	100.00	15	N 89° 15' 00" E	100.00
16	S 89° 15' 00" W	100.00	16	S 89° 15' 00" W	100.00
17	N 89° 15' 00" E	100.00	17	N 89° 15' 00" E	100.00
18	S 89° 15' 00" W	100.00	18	S 89° 15' 00" W	100.00
19	N 89° 15' 00" E	100.00	19	N 89° 15' 00" E	100.00
20	S 89° 15' 00" W	100.00	20	S 89° 15' 00" W	100.00
21	N 89° 15' 00" E	100.00	21	N 89° 15' 00" E	100.00
22	S 89° 15' 00" W	100.00	22	S 89° 15' 00" W	100.00
23	N 89° 15' 00" E	100.00	23	N 89° 15' 00" E	100.00
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30	S 89° 15' 00" W	100.00	30	S 89° 15' 00" W	100.00
31	N 89° 15' 00" E	100.00	31	N 89° 15' 00" E	100.00
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55	N 89° 15' 00" E	100.00	55	N 89° 15' 00" E	100.00
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57	N 89° 15' 00" E	100.00	57	N 89° 15' 00" E	100.00
58	S 89° 15' 00" W	100.00	58	S 89° 15' 00" W	100.00
59	N 89° 15' 00" E	100.00	59	N 89° 15' 00" E	100.00
60	S 89° 15' 00" W	100.00	60	S 89° 15' 00" W	100.00

LEGEND

Section corner

Place 1/8" iron rod with cap

Survey M.L.S. 1963

Survey line

HARPER - LEAVITT ENGINEERING, INC.
PROFESSIONAL ENGINEERS AND LAND SURVEYORS
1000 N. J. Ave. - P.O. Box 600 - Boise, Idaho 83720 - 1966

DATE MADE
BY
CHECKED
CORRECTED
BY

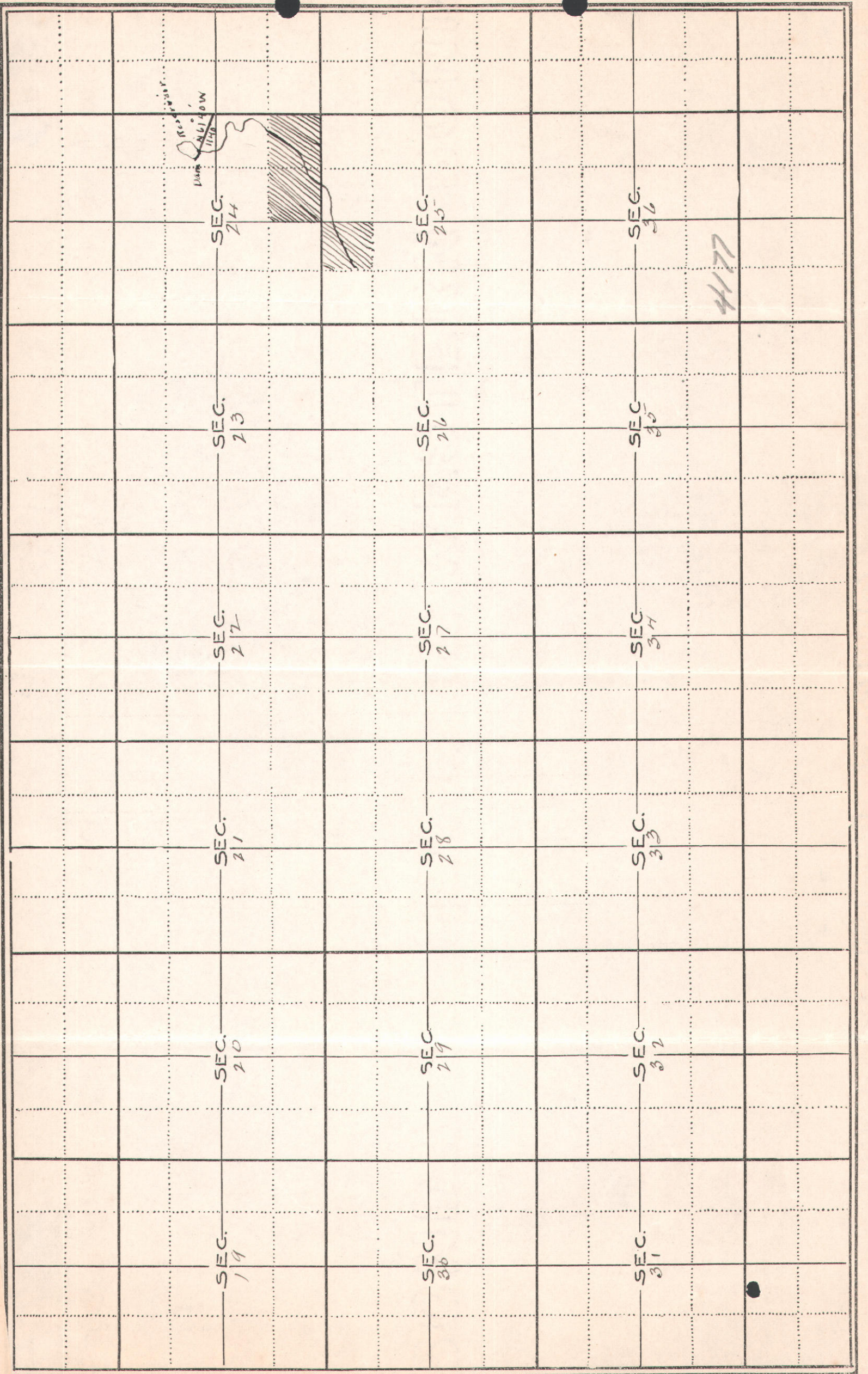
PLAT OF SURVEY

HOUGHLAND FARMS

07097-F
07098-F

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ADJUDICATION CLAIMS



RECEIVED

JAN 13 1999

Department of Water Resources



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

DATE OF CLOSING: December 23, 1998

LEGAL DESCRIPTION OF PROPERTY: Township 45 Range 32E
 Section 24, 25, 26 1/4 of 1/4 of 1/4 Govt. Lot , BM.
 Lot , Block , Subdivision/Townsite .

If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
 35-07138, 35-00007, 35-00028, 35-00029, 35-02016, 35-02014,
☒ Water Right Number(s) 35-11392, 35-11393, 35-11394, 35-00047, 35-007142, 35-04271,
 Assigned by IDWR: 35-08635, 35-11390, 35-08782, 35-09068, and 35-08679 35-07141

☐ Name and Address of Former Owner/Claimant(s)(Seller): North Fork Energy, Inc., Attn: Greg Lansberry
4414 S. Gekeler Lane

☐ New Owner/Claimant (Purchaser): John L. Miller

☐ New Mailing Address: P. O. Box 2260
Napa, California 94558

☐ New Telephone Number: (707) 224 - 6444

- ☒ Does the change in ownership result in a splitting of the water right owned/claimed? X yes no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

WRN's 35-04271, 35-08635, 35-08782, 35-09068 and 35-08679 are
split pursuant to the attached Special Warranty Deed.

- ☒ Attach proof of ownership, describe proof attached: See attached Warranty Deed and Special Warranty Water Rights, Well Development and Maintenance Agreement and Well Development and Maintenance Easement
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☒ Signature of New Owner/Claimant(s) John L. Miller Date Dec 28, '98

☒ Signature of Former Owner/Claimant(s): NORTH FORK ENERGY, INC. Date
 By: Its: Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:
 Initial Review and Data-Entry
 Date: By:
 Further Action Needed:
 Further Action Taken
 Date: By:
 Final Review and Data-Entry
 Date: By:
 Claim Numbers of Split, if any:

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AUG 05 1999

Original to be mailed to Idaho Department of Water Resources
 Copies to Former Owner and New Owner

WHEN RECORDED, MAIL TO:

John L. Miller
P.O. Box 2260
Napa, California 94558

WARRANTY DEED

North Fork Energy, Inc., a corporation organized and existing under the laws of the State of Idaho, with its principal place of business in Bingham County, Idaho, GRANTOR, hereby CONVEYS and WARRANTS to John L. Miller, GRANTEE, of Napa County, California, for the sum of TEN DOLLARS and other good and valuable consideration, the following-described tract of land in Bingham County, Idaho:

Beginning at a point on the South line of a County Road that is South $0^{\circ}13'14''$ West 2167.35 feet along the Section line and South $81^{\circ}36'31''$ West 84.90 feet from the Northeast corner of said Section 24 and running thence south $81^{\circ}36'31''$ West 1192.27 feet along said South line; thence South $78^{\circ}49'32''$ West 1368.55 feet; thence South $79^{\circ}16'11''$ West 402.03 feet; thence South $89^{\circ}24'11''$ West 198.67 feet; thence South $89^{\circ}59'48''$ West 2075.55 feet along said South line to the West line of said Section 24; thence leaving said County Road South $0^{\circ}32'53''$ West 2618.34 feet along the Section line to the South West corner of said Section 24; thence North $89^{\circ}28'36''$ West 1325.23 feet along a fence line; thence South $1^{\circ}04'04''$ West 1268.04 feet along said fence; thence South $55^{\circ}28'37''$ West 90.03 feet; thence North $89^{\circ}46'17''$ West 958.92 feet along said fence line to the east line of a county road; thence South $5^{\circ}14'03''$ East 199.67 feet along said east line to the Bureau of Reclamation take line; thence along said Bureau of Reclamation take line the following three (3) courses (1) North $48^{\circ}14'18''$ East 293.73 feet; (2) thence South $41^{\circ}37'41''$ East 168.00 feet; (3) thence South $49^{\circ}20'46''$ West 424.73 feet; thence South $16^{\circ}10'45''$ West 169.69 feet; thence South $56^{\circ}11'16''$ West 256.70 feet; thence South $0^{\circ}11'21''$ West 546.83 feet; thence South $53^{\circ}20'44''$ East 115.52 feet along said east line to the North line of said County Road; thence South $88^{\circ}50'14''$ East 561.72 feet along said North line; thence South $87^{\circ}40'11''$ East 149.39 feet; thence North $89^{\circ}37'03''$ East 1145.42 feet; thence North $80^{\circ}18'38''$ East 264.58 feet; thence South $89^{\circ}24'55''$ East 174.18 feet to the Bureau of Reclamation Take Line; thence along said Bureau of Reclamation Take Line the following three (3) courses (1) North $76^{\circ}17'38''$ East 235.58 feet; (2) thence North $67^{\circ}19'32''$ East 349.70 feet; (3) thence South $41^{\circ}00'50''$ West 162.37 feet to the North line of a County Road; thence North $69^{\circ}59'04''$ East 56.48 feet; thence North $59^{\circ}36'35''$ East 521.39 feet; thence North $53^{\circ}39'50''$ East 263.65 feet; thence North $31^{\circ}17'57''$ East 502.46 feet; thence North $81^{\circ}43'25''$ East 787.30 feet; thence South $89^{\circ}36'24''$ East 702.19 feet; thence South $64^{\circ}24'39''$ East 620.55 feet; thence South

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JAN 27 1999
JUN 05 1999

- 5 67°30'02" East 233.65 feet; thence South 84°26'23" East 323.64 feet; thence South 74°29'47" East 1219.71 feet; thence South 75°50'39" East 443.76 feet along said North line; thence leaving said County Road North 1°30'06" West 110.13 feet; thence North 1°26'14" West 2304.88 feet along a fence line; thence North 1°42'30" West 3088.94 feet along said fence line to the Point of Beginning.

EXCEPTING THEREFROM the following parcel:

Part of the East Half of the Section 24, Township 4 South, Range 32 East of the 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.

TOGETHER WITH:

All fixtures and appurtenances located on the described and conveyed real property, including, but not limited to, one trailer home, and all other out buildings located on the property, eight (8) approximately quarter mile long Thunderbird wheeled irrigation lines, two (2) approximately quarter mile long four (4) inch diameter hand irrigation lines, all existing buried main irrigation lines, a 150 horsepower deep well pump and a 100 horsepower centrifugal pump.

AND SUBJECT TO all easements and encumbrances of record.

The officers of North Fork Energy, Inc. who sign this Warranty Deed hereby certify that this Warranty Deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of North Fork Energy, Inc. at a lawful meeting properly noticed and duly held, and attended by a quorum.

IN WITNESS WHEREOF, the GRANTOR has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this 23 day of December, 1998.

NORTH FORK ENERGY, INC., Grantor

Ronald C. Yanke
Ronald C. Yanke, President

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MAY 27 1999

ATTEST:

Richard D. Heaton

Richard D. Heaton, Secretary

STATE OF IDAHO)
: ss.
COUNTY OF ADA)

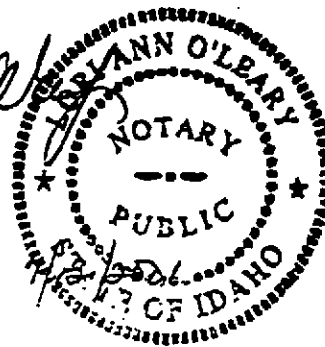
On the 23rd day of December, 1998, personally appeared before me Ronald C. Yanke, who having first been duly sworn by me, did say that he is the President of North Fork Energy, Inc., that he has authority to sign the foregoing Warranty Deed on behalf of North Fork Energy, Inc. by reason of a duly and properly adopted resolution of the board of directors of North Fork Energy, Inc., and that the foregoing Warranty Deed was signed on behalf of North Fork Energy by him.

[Signature]
NOTARY PUBLIC

Residing in the State of Idaho

SEAL:

My commission exp. 7/13/2006



STATE OF IDAHO)
: ss.
COUNTY OF ADA)

On the 23rd day of December, 1998, personally appeared before me Richard D. Heaton, who having first been duly sworn by me, did say that he is the Secretary of North Fork Energy, Inc., that the President of North Fork Energy, Inc., Ronald C. Yanke, has authority to sign the foregoing Warranty Deed on behalf of North Fork Energy, Inc. by reason of a duly and properly adopted resolution of the board of directors of North Fork Energy, Inc., and that he, Richard D. Heaton, as Secretary of North Fork Energy, Inc., has properly, and pursuant to authority duly granted to him by North Fork Energy, Inc., has signed the foregoing Warranty Deed attesting that the foregoing Warranty Deed was properly signed with authority on behalf of North Fork Energy, Inc.

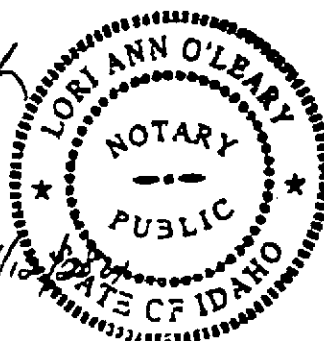
[Signature]
NOTARY PUBLIC

Residing in the State of Idaho

SEAL:

My commission exp. 7/13/2006

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MAY 27 1999



WHEN RECORDED, MAIL TO:

John L. Miller
P.O. Box 2260
Napa, California 94558

**SPECIAL WARRANTY WATER RIGHTS DEED,
WELL DEVELOPMENT AND MAINTENANCE AGREEMENT
AND
WELL DEVELOPMENT AND MAINTENANCE EASEMENT**

North Fork Energy, Inc., a corporation organized and existing under the laws of the State of Idaho, with its principal place of business in Bingham County, Idaho, GRANTOR, hereby CONVEYS and WARRANTS to John L. Miller, or nominee, GRANTEE, of Napa County, California, for the sum of TEN DOLLARS and other good and valuable consideration, all right, title and interest in and to the following-described water rights:

Water Right Number ("WRN") 35-07141 for 4.8 cfs for the irrigation of 240 acres, as described in the Water Right License and the Snake River Basin Adjudication Claim Number ("SRBA Claim Number") A35-7141. Grantor believes this right may be reduced through the Snake River Basin General Adjudication to 4.68 cfs for the irrigation of 234 acres. Grantor makes no warranty beyond 4.68 cfs for the irrigation of 234 acres.

Water Right Number ("WRN") 35-07138 for 1.08 cfs for the irrigation of 54 acres, as described in the Water Right License. Grantor believes that SRBA Claim Number A35-07138 may be incorrect. Grantor makes no warranty except as to 1.08 cfs for the irrigation of 54 acres as described in the Water Right License.

WRN 35-00007 for the irrigation of 103 acres, as described in SRBA Claim Number A35-00007. However, Grantor believes the right may be limited to 2.1 cfs in the Snake River Basin General Adjudication. Grantor makes no warranty beyond 2.1 cfs for the irrigation of 103 acres.

WRN 35-00028 for 1.2 cfs for the irrigation of 109 acres, as described in SRBA Claim Number A35-00028.

WRN 35-00029 for .4 cfs for the irrigation of 109 acres, as described in SRBA Claim Number A35-00029.

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MAY 27 1999

WRN 35-02016, as described in SRBA Claim Number A35-02016. Grantor believes that the right may be reduced in the Snake River Basin Adjudication to 1.28 cfs for the irrigation of 64 acres. Grantor makes no warranty beyond 1.28 cfs and 64 acres.

WRN 35-02014, as described in the Water Right License for 1.3 cfs for irrigation as described in the Water Right License.

WRN 35-11390 for 20 cfs for fish propagation as described in SRBA Claim Number A35-11390 and as modified by Transfer Number 5055.

WRN 35-11392 for .04 cfs for the domestic use of one home.

WRN 35-11393 for .04 cfs for the domestic use of one home.

WRN 35-00047. Grantor makes no warranty whatsoever regarding WRN 35-0047.

A portion of WRN 35-007142 for the irrigation of 40 acres. Grantor makes no warranty whatsoever regarding WRN 35-007142.

TOGETHER WITH an undivided interest in the following water rights, and subject to the limitations described below:

WRN 35-04271 for 50 cfs for fish propagation as described in SRBA Claim Number A35-04271 and as modified by Transfer Number 5030.

WRN 35-08635 for .72 cfs for fish propagation as described by the Water Right License and as modified by Transfer Number 5030. Grantor believes that SRBA Claim Number A35-08635 may be incorrect. Grantor makes no warranty beyond .72 cfs.

✓ WRN 35-08782 for 4.64 cfs as described in the Water Right License and as modified by pending, unapproved Transfer Number 5345.

WRN 35-09068 for 4.79 cfs for fish propagation commercial use under WRN 35-08679. *35-09068 is for* and 1. cfs for

✓ WRN 35-08679 for 1.0 cfs for commercial use, *4.79 cfs - fish Prop.* r 5030.

As to Water Right Numbers 35-04271, 35-08635, 35-08782 and 35-09068, Grantor retains the right to use the described flow for fish propagation purposes only on property retained by the Grantor located in the Northeast Quarter of Section 24, Township 4 South, Range 32 East

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MAY 27 1999

of the Boise Meridian, Bingham County, Idaho. Grantor's use of the water under Water Right Numbers 35-04271, 35-08635, 35-08782 and 35-09068 will be virtually non-consumptive.

As to WRN 35-08679, Grantor retains the right to consumptively use up to 1.0 cfs for commercial purposes, or file a transfer to use the water for irrigation or other consumptive purposes, on property retained by the Grantor located in the Northeast Quarter of Section 24 and the Northeast Quarter of the Southeast Quarter of Section 24, Township 4 South, Range 32 East of the Boise Meridian, Bingham County, Idaho.

All flows available for use by Grantor or Grantee under Water Right Numbers 35-04271, 35-08635, 35-08782 and 35-09068, and all flows not consumed by Grantor under WRN 35-08679, shall be discharged to Boom Creek by Grantor at the point where Boom Creek intersects the existing Bingham County road in the Northeast Quarter of Section 24, Township 4 South, Range 32 East of the Boise Meridian, Bingham County, Idaho. All water discharged by Grantor to Boom Creek shall meet all applicable state, federal and local laws, statutes, rules, regulations and ordinances, shall be free from any significant pathogens or disease which might adversely affect fish or wildlife, and shall be fit for the purposes of fish propagation, wildlife, recreation, the natural stream environment and aesthetics.

Grantor hereby conveys to Grantee a partial undivided right in and to Water Right Numbers 35-04271, 35-08635, 35-08782 and 35-09068 and 35-08679 consisting of the right to use the flow discharged by Grantor below the point described for all authorized purposes subject to any required Transfer from the Idaho Department of Water Resources and further subject to the limitations described above.

Neither Grantor nor the Grantee shall file any application for Transfer involving Water Right Numbers 35-04271, 35-08635, 35-08782, 35-09068 and 35-08679 which might in any manner diminish the quantity or quality of water available to the other.

Except as expressly stated otherwise above, Grantor warrants that it is conveying good, marketable, unencumbered title to all of the water rights described above. The same acreage may be an approved place of use for more than one water right. As part of the Snake River Basin General Adjudication, approved flows may be reduced because of this stacking of water rights. Reductions in flow as the result of stacking shall not be considered a breach of Grantor's warranties. As part of the Snake River Basin General Adjudication, small adjustments in approved acreage may be made as the result of the capacity for more precise measurements. Small reductions in acreage as the result of better measurement shall not be considered a breach of Grantor's warranties.

Water Right Number 35-04271, 35-08635, 35-08782, 35-09068 and 35-08679 and Transfer Numbers 5030, 5055 and pending Transfer Number T5345, approved a total of 10 wells to be drilled

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on property retained by Grantor located in the Northeast Quarter of Section 24, Township 4 South, Range 32 East of the Boise Meridian, Bingham County, Idaho. Three of the wells have been completed. Grantor shall continue to develop two (2) additional wells until the total authorized artesian flow from the wells under the described water right numbers and transfer numbers is obtained, or hydro geological data reasonably acceptable to Grantee indicates that additional wells would not result in a net yield from all of the wells of more than 3 cfs. Grantor shall complete the two (2) additional wells on or before August 1, 1999. While Grantor is not obligated to Grantee to develop the full ten (10) wells authorized under the described water rights and transfers, any water developed by Grantor on property belonging to Grantor located in the Northeast Quarter of Section 24, Township 4 South, Range 32 East of the Boise Meridian, Bingham County, Idaho shall first be used to satisfy the water rights and transfers that Grantor and Grantee have undivided interests in as described above before being used for any other purpose. Grantor shall submit any proof required under the described water rights and transfers and shall timely take all other steps which may be reasonable and necessary to keep the described water rights and transfers in good standing. Grantor shall reasonably operate and maintain the wells in a condition which will maximize the flow to which the Grantor and Grantee have a right under the described water rights and transfers.

If for any reason Grantor fails to diligently and timely complete development of the two additional wells as described above, or alternatively, Grantor fails to maintain any wells developed by Grantor which are necessary to satisfy the water rights and transfers that Grantor and Grantee have undivided interests in as described above, Grantee shall have an easement and a right of ingress and egress across the property belonging to Grantor located in the Northeast Quarter of Section 24, Township 4 South, Range 32 East of the Boise Meridian, Bingham County, Idaho for the purpose of developing the two additional wells described above, or maintaining any wells developed by Grantor which are necessary to satisfy the water rights and transfers that Grantor and Grantee have undivided interests in as described above.

All of Grantor's obligations under this Special Warranty Water Rights Deed, Well Development and Maintenance Agreement and Well Development and Maintenance Easement shall run with the land and shall bind Grantors successors and assigns.

The officers of North Fork Energy, Inc. who sign this Special Warranty Water Rights Deed, Well Development and Maintenance Agreement and Well Development and Maintenance Easement hereby certify that this instrument and the agreements and transfers represented thereby was duly authorized under a resolution duly adopted by the board of directors of North Fork Energy, Inc. at a lawful meeting properly noticed and held, and attended by a quorum.

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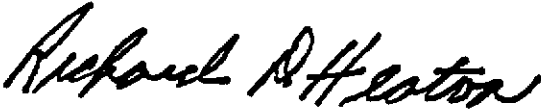
IN WITNESS WHEREOF, the GRANTOR has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this 23 day of December, 1998.

NORTH FORK ENERGY, INC., Grantor



Ronald C. Yanke, President

ATTEST:



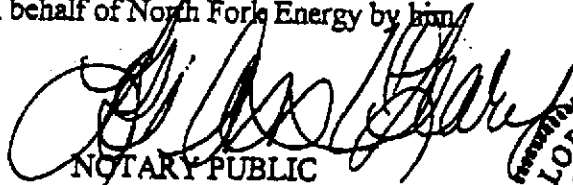
Richard D. Heaton, Secretary

STATE OF IDAHO)

: ss.

COUNTY OF ADA)

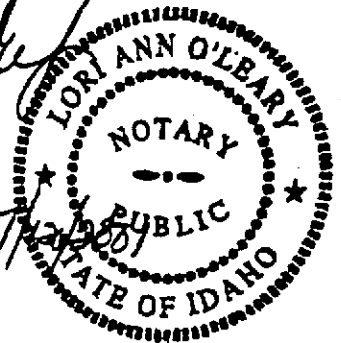
On the 23rd day of December, 1998, personally appeared before me Ronald C. Yanke, who having first been duly sworn by me, did say that he is the President of North Fork Energy, Inc., that he has authority to sign the foregoing Special Warranty Water Rights Deed, Well Development and Maintenance Agreement and Well Development and Maintenance Easement on behalf of North Fork Energy, Inc. by reason of a duly and properly adopted resolution of the board of directors of North Fork Energy, Inc., and that the foregoing instrument was signed on behalf of North Fork Energy by him.



NOTARY PUBLIC
Residing in the State of Idaho

SEAL:

My commission exp.: 7/2/2001



STATE OF IDAHO)

: ss.

COUNTY OF ADA)

On the 23rd day of December, 1998, personally appeared before me Richard D. Heaton, who having first been duly sworn by me, did say that he is the Secretary of North Fork Energy, Inc., that the President of North Fork Energy, Inc., Ronald C. Yanke, has authority to sign the foregoing Special Warranty Water Rights Deed, Well Development and Maintenance Agreement and Well Development and Maintenance Easement on behalf of North Fork Energy, Inc. by reason of a duly and properly adopted

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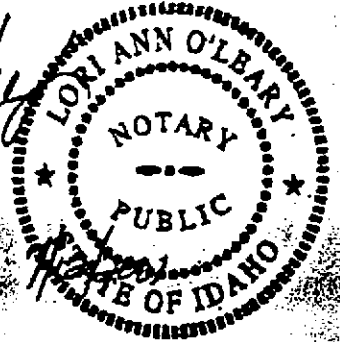
resolution of the board of directors of North Fork Energy, Inc., and that he, Richard D. Heaton, as Secretary of North Fork Energy, Inc., has properly, and pursuant to authority duly granted to him by North Fork Energy, Inc., signed the foregoing instrument attesting that the foregoing instrument was properly signed with authority on behalf of North Fork Energy, Inc.


NOTARY PUBLIC

Residing in the State of Idaho

SEAL:

my commission exp. 11/1/91



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AUG 05 1994

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SEP 30 1996

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

Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) SEE EXHIBIT "A"
Adjudication Claim Number(s) SEE EXHIBIT "A"
2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) WESTERN STAR FARMS INC
PO BOX 34
TWIN FALLS ID 83303
4. New Owner/Claimant(s) NORTH FORK ENERGY INC ATTN: RICHARD D HEATON
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address 4414 S GEKELER LN
City, State and ZIP Code BOISE ID 83705
New Telephone Number (208) 342 8901
5. Date you acquired the property 4-25-1996 (BILL OF SALE)
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres actually irrigated _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) North Fork Energy, Inc AUG 05 1996 Date _____
By: Ronald L. Gade Date 9/24/96
President
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

LIST OF WATER RIGHTS AS SHOWN IN IDWR RECORDS

Water Right ID Number	Source	Amount	Nature or Priority	Purpose of Use	Season of Use	Point of Diversion	Evidence	Acreage (if Irrigation right)
35-00007	Springs tributary to Boone Creek	6.00cfs	05/01/1887	Irrigation	?	T4S, R32E, S24: SWNE, SENE	Decree	?
35-00028	Boone Creek	1.20cfs	05/01/1888	Irrigation	?	?	Decree	?
35-00029	Rich's Spring	.40cfs	05/01/1897	Irrigation	?	?	Decree	?
35-00047	Spring, Wastewater	.50cfs	09/01/1895	Irrigation	?	?	Decree	?
35-02014	Boone Spring	1.30cfs	11/21/1908	Irrigation Domestic	?	T4S, R32E, S24: SENE	License	?
35-02016	Tanner Spring Hull Spring	4.00cfs	03/01/1909	Irrigation Fish Propagation Domestic	?	T4S, R32E, S25: NENE T4S, R33E, S30: SWNW, NWSW	License	90
35-04271	Spring tributary to Boom Creek	50.00cfs	06/01/1945	Fish Propagation	1-01 to 12-31	T4S, R32E, S24: SENE	Statutory Claim	
35-07097	Groundwater	4.00cfs	09/30/1969	Fish Propagation Domestic	1-01 to 12-31	T4S, R33E, S30: SWNW, NWSW	License	
35-07098	Springs tributary to American Falls Reservoir	20.00cfs	08/02/1969	Fish Propagation	1-01 to 12-31	T4S, R33E, S30: SWNW, NWSW	License	54
35-07138	Groundwater	1.08cfs	04/08/1970	Irrigation	4-01 to 11-01	T4S, R32E, S24: SENE	License	240
35-07141	Groundwater	4.80cfs	04/08/1970	Irrigation	4-15 to	T4S, R32E, S24:	License	

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				10-01	SESE	
35-07142	Unnamed stream	2.62cfs	04/08/1970	Irrigation	4-01 to 11-01	T4S, R33E, S30; NWSW
						License
						162
35-08635	Groundwater (artesian well) tributary to Boonin Creek	5.00cfs	12/17/1986	Fish Propagation	1-01 to 12-31	T4S, R32E, S24; SWNE
						Permit
35-08679	Groundwater	1.00cfs	12/26/1988	Commercial	1-01 to 12-31	T4S, R32E, S24; SENE
						License

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LIST OF WATER RIGHTS AS SHOWN IN SRBA CLAIMS

Water Right ID Number	Source	Amount	Priority	Nature or Purpose of Use	Season of Use	Point of Diversion	Evidence	Acreage (if irrigation right)
A35-04271	Spring tributary to Boom Creek	.50cfs	06/01/1945	Fish Propagation	1-01 to 12-31	T4S, R32E, S24: NWSENE	Statutory Claim	
A35-07097	Groundwater	4.00cfs	09/30/1969	Fish Propagation Domestic	1-01 to 12-31	T4S, R33E, S30: SWNW	License	
A35-07098	Spring tributary to Snake River	20.00cfs	08/22/1969	Fish Propagation	1-01 to 12-31	T4S, R33E, S30: SWSWNW	License	
A35-07138	Groundwater	3.82cfs	04/08/1970	Irrigation Domestic	4-15 to 10-01 1-01 to 12-31	T4S, R32E, S24: SWNE	Permit	190
A35-07141	Groundwater	4.80cfs	04/08/1970	Irrigation	4-15 to 10-01	T4S, R32E, S24: SESE	License	240
A35-08635	Groundwater (artesian well) tributary to Boom Creek	5.00cfs	12/17/1986	Fish Propagation	1-01 to 12-31	T4S, R32E, S24: SWNE		
A35-11390	Spring tributary to Boom Creek	20.00cfs	06/01/1941	Fish Propagation	1-01 to 12-31	T4S, R32E, S24: SENWSW, NWSWSW	Beneficial Use	
A35-11392	Groundwater	.04cfs	06/01/1941	Domestic	1-01 to 12-31	T4S, R32E, S24: SWSW	Beneficial Use	
A35-11393	Groundwater	.04cfs	06/01/1945	Domestic	1-01 to 12-31	T4S, R32E, S24: SWSW	Beneficial Use	
A35-11394	Groundwater	.04cfs	06/01/1945	Domestic	1-01 to 12-31	T4S, R32E, S24: SWNE	Beneficial Use	

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Department of Water Resources
Southern Region

ALL AS CLAIMS
MADE UP DATED
OCTOBER 8-896

LIST OF WATER RIGHTS AS SHOWN IN
SRBA CLAIMS

Water Right ID Number	Source	Amount	Priority	Nature or Purpose of Use	Season of Use	Point of Diversion	Evidence	Acreage (if irrigation right)
A35-04271	Spring tributary to Boom Creek	.50cfs	06/01/1945	Fish Propagation	1-01 to 12-31	T4S, R32E, S24: NWSENE	Statutory Claim	
A35-07097	Groundwater	4.00cfs	09/30/1969	Fish Propagation Domestic	1-01 to 12-31	T4S, R33E, S30: SWNW	License	
A35-07098	Spring tributary to Snake River	20.00cfs	08/22/1969	Fish Propagation	1-01 to 12-31	T4S, R33E, S30: SWSWNW	License	
A35-07138	Groundwater	3.82cfs	04/08/1970	Irrigation Domestic	4-15 to 10-01 1-01 to 12-31	T4S, R32E, S24: SWNE	Permit	190
A35-07141	Groundwater	4.80cfs	04/08/1970	Irrigation	4-15 to 10-01	T4S, R32E, S24: SESE	License	240
A35-08635	Groundwater (artesian well) tributary to Boom Creek	5.00cfs	12/17/1986	Fish Propagation	1-01 to 12-31	T4S, R32E, S24: SWNE		
A35-11390	Spring tributary to Boom Creek	20.00cfs	06/01/1941	Fish Propagation	1-01 to 12-31	T4S, R32E, S24: SENWSW, NWSWSW	Beneficial Use	
A35-11392	Groundwater	.04cfs	06/01/1941	Domestic	1-01 to 12-31	T4S, R32E, S24: SWSW	Beneficial Use	
A35-11393	Groundwater	.04cfs	06/01/1945	Domestic	1-01 to 12-31	T4S, R32E, S24: SWSW	Beneficial Use	
A35-11394	Groundwater	.04cfs	06/01/1945	Domestic	1-01 to 12-31	T4S, R32E, S24: SWNEW	Beneficial Use	

EXHIBIT A

THAT PORTION OF THE FOLLOWING LEGAL DESCRIPTION

PARCEL I:

Part of the NE¼ 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 S 0°13'14" W 1001.26 feet along the section line and N 89°40'08" W 57.90 feet from the Northeast corner of said Section 24 and running thence S 1°11'42" W 1128.14 feet along said West line to the North line of a county road; thence S 80°53'08" W 813.33 feet along said North line; thence S 81°36'36" W 753.22 feet along said North line; thence N 2°55'53" W 1377.93 feet; thence S 89°40'08" E 1642.24 feet to the point of beginning.

PARCEL II:

Part of Section 24, 25 and 26, Township 4 South, Range 32 East, Boise Meridian, Bingham County, Idaho, described as:
Beginning at a point on the south line of a county road that is S 0°13'14" W 2179.74 feet along the section line and West 83.95 feet from the Northeast corner of said Section 24 and running thence S 81°36'31" W 1192.27 feet along said South line; thence S 78°49'32" W 1368.55 feet; thence S 79°16'11" W 402.03 feet; thence S 89°24'11" W 198.67 feet; thence S 89°59'48" W 2075.55 feet along said South line to the West line of said Section 24; thence leaving said county road S 0°32'53" W 2618.34 feet along the section line to the Southwest corner of said Section 24; thence N 89°28'36" W 1325.23 feet along a fence line; thence S 1°04'04" W 1268.04 feet along said fence; thence S 55°28'37" W 90.03 feet; thence N 89°46'17" W 958.92 feet along said fence line to the East line of a county road; thence S 5°14'03" E 379.68 feet along said East line; thence S 16°10'45" W 198.21 feet; thence S 56°11'16" W 256.70 feet; thence S 0°11'21" W 546.83 feet; thence S 53°20'44" E 115.52 feet along said East line to the North line of said county road; thence S 88°50'14" E 561.72 feet along said North line; thence S 87°40'11" E 380.70 feet; thence S 84°18'14" E 186.12 feet; thence S 80°40'02" E 265.21 feet; thence N 80°18'38" E 732.64 feet; thence S 89°24'55" E 271.34 feet; thence N 84°41'36" E 213.19 feet; thence N 69°59'04" E 200.75 feet; thence N 59°36'35" E 521.39 feet; thence N 53°39'50" E 263.65 feet; thence N 31°17'57" E 502.46 feet; thence N 81°43'25" E 787.30 feet; thence S 89°36'24" E 702.19 feet; thence S 64°24'39" E 620.55 feet; thence S 69°30'02" E 233.65 feet; thence S 84°26'23" E 323.64 feet; thence S 74°29'47" E 1219.71 feet; thence S 75°50'39" E 443.76 feet along said North line; thence leaving said county road N 1°30'06" W 110.13 feet; thence N 1°26'14" W 2304.88 feet along a fence line; thence N 1°42'30" W 3088.94 feet along said fence line to the point of beginning.

PARCEL IIA:

Part of Section 25, Township 4 South, Range 32 East, Boise Meridian, Bingham County, Idaho, described as:
Beginning at a point on the Southerly line of a county road that is S 88°51'23" W 104.34 feet from the East ¼ corner of said Section 25 and

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EXHIBIT A (Continued)

running thence S 88°51'23" W 435.46 feet along the monumented American Falls Reservoir right-of-way line; thence N 59°21'28" W 624.41 feet along said right-of-way line; thence leaving said right-of-way line N 81°25'15" W 525.11 feet; thence N 70°36'20" W 384.05 feet along an existing fence line; thence N 11°04'21" E 187.45 feet along said fence line to the South line of said county road; thence S 84°13'41" E 354.63 feet along said South line; thence S 74°46'41" E 1242.62 feet along said South line; thence S 38°16'17" E 429.83 feet along said South line to the point of beginning.

PARCEL III:

Part of Section 30, Township 4 South, Range 33 East, Boise Meridian, Bingham County, Idaho, described as:

Beginning at a point that is N 00°04'26" E 377.02 feet along the section line and East 80.90 feet from the West $\frac{1}{4}$ corner of said Section 30 and running thence S 85°45'02" E 511.11 feet; thence S 3°57'29" W 492.04 feet; thence S 65°54'48" W 475.69 feet to the East line of a county road; thence N 23°57'42" W 351.58 feet along said east line; thence N 39°11'07" W 516.08 feet along said East line; thence leaving said East line S 75°50'39" E 443.76 feet; thence N 1°30'06" W 110.13 feet to the point of beginning.

EXCEPT: Beginning at the Northwest corner of Lot 3, in Section 30, Township 4 South, Range 33 East, Boise Meridian, Bingham County, Idaho; thence S 13°40 $\frac{1}{2}$ ' E 584.6 feet to a point, thence S 0°25 $\frac{1}{2}$ ' E 545.3 feet to a point, thence S 31°43' W 260 feet, more or less, to the Southwest corner of said Lot 3, thence N 0°14 $\frac{1}{2}$ ' W along the West line of said Lot 3, 1335.1 feet, more or less, to the Point of Beginning.

Lying within the bounds of Sections 24, 30 and the following described legal:

Section 25:

~~N $\frac{1}{2}$ N $\frac{1}{2}$~~ ; SW $\frac{1}{4}$ NW $\frac{1}{4}$; ALSO: Beginning at the Southeast corner of NE $\frac{1}{4}$ of said Section; thence N 0°07' W 1336.4 feet, more or less, to the Northeast corner of the S $\frac{1}{2}$ NE $\frac{1}{4}$ of said Section; thence S 89°40' W along the North line of Said S $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section, 3945.4 feet, more or less, to the Northwest corner of said SE $\frac{1}{4}$ NW $\frac{1}{4}$; thence S 0°10' W along the West line of said SE $\frac{1}{4}$ NW $\frac{1}{4}$, 403.5 feet to a point; thence N 79°12 $\frac{1}{2}$ ' E 688.8 feet to a point, thence N 87°28 $\frac{1}{2}$ ' E 651.1 feet to a point; thence S 58°24' E 558.7 feet to a point; thence S 37°22' E 386.5 feet to a point; thence N 35°26' E 250.3 feet to a point; thence S 14°34' E 411.8 feet to a point; thence S 74°21 $\frac{1}{2}$ ' E 299.7 feet to a point; thence N 67°11 $\frac{1}{2}$ ' E 391.3 feet to a point; thence S 55°55' E 616.5 feet, more or less, to the South line of said S $\frac{1}{2}$ NE $\frac{1}{4}$ of said Section 25; thence N 89°50' E along said South line of said S $\frac{1}{2}$ NE $\frac{1}{4}$, 503.3 feet, more or less, to the Point of Beginning.

SECTION 26:

NE $\frac{1}{4}$ NE $\frac{1}{4}$, and commencing at the Southeast corner of the NE $\frac{1}{4}$ of Section 26, thence West 160 rods; thence North 67 rods; thence East 13 rods; thence North 13 rods; thence East 147 rods; thence South 80 rods to the Point of Beginning.

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EXHIBIT A (Continued)

EXCEPTING THEREFROM Section 25 and Section 26 hereinabove set out: those certain portions of the above described property deeded to the United States of America as disclosed by Deed dated February 11, 1938, recorded February 26, 1938, as Instrument No. 16078, records of Bingham County, as follows:

TRACT A: A tract of land in the SW~~1~~⁴NE~~1~~⁴ of Section 26, Township 4 South, Range 32 East, Boise Meridian, Bingham County, Idaho, more particularly described as follows: Beginning at a point on the West line of said SW~~1~~⁴NE~~1~~⁴ that is N 0°04' W 681.8 feet from the Southwest corner of said SW~~1~~⁴NE~~1~~⁴; thence N 0°04' W along the West line of the SW~~1~~⁴NE~~1~~⁴ 429.8 feet to a point; thence N 81°48' E 297.5 feet to a point; thence N 49°25' E 288.2 feet to a point; thence S 43°48' E 166.2 feet to a point; thence S 49°19' W 828.0 feet, more or less, to the Point of Beginning.

TRACT B: A tract in the SE~~1~~⁴NE~~1~~⁴ of Section 26 and the SW~~1~~⁴NW~~1~~⁴ of Section 25, Township 4 South, Range 32 East, Boise Meridian, Bingham County, Idaho, more particularly described as follows: Beginning at the Quarter corner between Sections 25 and 26, thence S 89°13¹/₂' W along the South line of said SE~~1~~⁴NE~~1~~⁴ of Section 26, 392.1 feet to a point; thence N 73°40' E 408.5 feet to a point; thence N 69°41' E 349.7 feet to a point; thence S 40°48' W 304.7 feet, more or less, to the South line of said SW~~1~~⁴NW~~1~~⁴ of Section 25; thence S 89°51' W along the said South line of SW~~1~~⁴NW~~1~~⁴ 128.7 feet, more or less, to the Point of Beginning.

TRACT C: A tract of land in the SW~~1~~⁴NW~~1~~⁴ of Section 25, Township 4 South, Range 32 East, Boise Meridian, Bingham County, Idaho, more particularly described as follows: Beginning at the Southeast corner of said SW~~1~~⁴NW~~1~~⁴; thence S 89°51' W along the South line of said SW~~1~~⁴NW~~1~~⁴ 1070.9 feet to a point; thence N 55°49' E 981.5 feet to a point; thence N 35°09¹/₂' E 455.4 feet, more or less, to a point on the East line of said SW~~1~~⁴NW~~1~~⁴ of Section 25, thence S 0°12' W along the East line of said SW~~1~~⁴NW~~1~~⁴ of Section 25, 921 feet, more or less, to the Point of Beginning.

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BILL OF SALE RELATING TO WATER RIGHTS

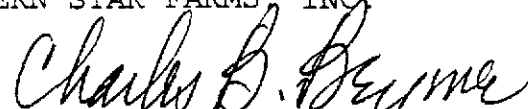
KNOW ALL MEN BY THESE PRESENTS, that **WESTERN STAR FARMS, INC.**, an Idaho corporation of P.O. Box 34, Twin Falls, Idaho 83303 ("Seller") for and in consideration of TEN DOLLARS (\$10) and other good and valuable consideration, received from **NORTH FORK ENERGY, INC.**, an Idaho corporation of 4414 S. Gekeler Lane, Boise, Idaho 83705 ("Purchaser"), the receipt whereof is hereby acknowledged, does by these presents, grant, bargain, sell and convey unto Purchaser whatever interest it may have, if any, in the water rights or claims to water rights, listed on the attached Exhibit "A". Seller makes no representations or warranties regarding such water rights or the interest being conveyed by this Bill of Sale. This Bill of Sale is being provided solely to assist Purchaser in seeking the transfer to it of such water rights or claims of water rights which may be transferable, and not as a guaranty or warranty of any kind of title to any such water rights or claims of water rights.

DATED: This 25th day of April, 1996.

SELLER

WESTERN STAR FARMS, INC.

By:



Charles B. Beymer, President

PURCHASER

NORTH FORK ENERGY, INC.

By:



Ronald C. Yanke, President

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SECRETARY'S CERTIFICATE

I, Richard D. Heaton, the Secretary and General Counsel of **NORTH FORK ENERGY, INC.** (the "Corporation") do hereby certify that Ronald C. Yanke is the Sole Director of the Corporation and the following are the officers of the Corporation:

PRESIDENT:	RONALD C. YANKE
SECRETARY:	RICHARD D. HEATON
TREASURER:	GREGORY R. LANSBERRY
GENERAL COUNSEL:	RICHARD D. HEATON

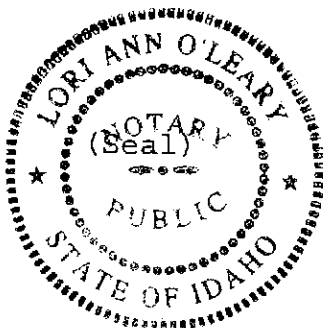
I further certify that all of the above named officers and directors are authorized to execute any and all documents pertaining to the acquisition of the real property commonly referred to as the Crystal Springs Trout Ranch and any water rights appurtenant thereto including any notices of change of ownership of said water rights.

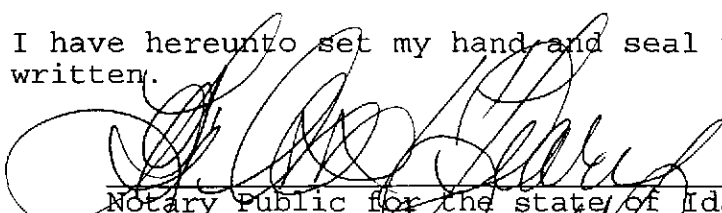

Richard D. Heaton, Secretary and
General Counsel

STATE OF IDAHO)
) ss
County of ADA)

On this 24th day of September, 1996, before me, the undersigned Notary Public for the state of Idaho, personally appeared Richard D. Heaton, Secretary and General Counsel of NORTH FORK ENERGY, INC., the corporation which executed the foregoing document, known to me or identified to me to be the person whose name is subscribed to the foregoing, and acknowledged to me that he 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.



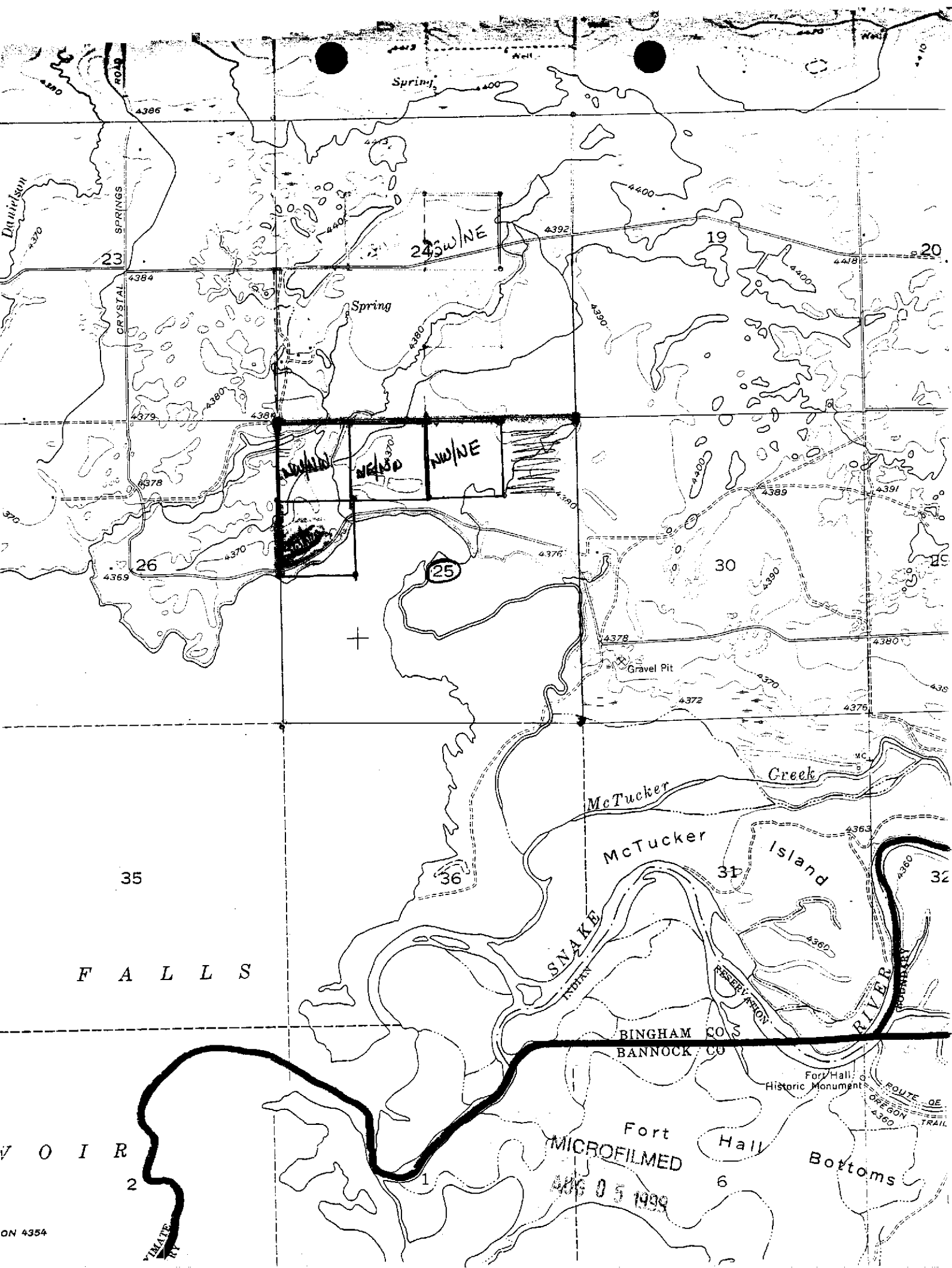

Notary Public for the state of Idaho

Residing at: Boise, Idaho

My commission expires: 7/12/2001

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Plat Map

26

Part of
SECTION 24, T.4 S. R.32 E. B.M.
SINGHAM COUNTY, IDAHO

SURVEYORS CERTIFICATE

I, E. M. Leavitt, a Registered Professional Land Surveyor in the State of Idaho, do hereby certify that this plat is an accurate representation of the survey completed under my supervision.

E. M. Leavitt
E. M. Leavitt, Licensed Professional Land Surveyor, No. 1000, State of Idaho, August 1996

RECORDERS CERTIFICATE

Instrument No. _____
Date of Recording _____
Recorded in Singham County, Idaho _____

County Recorder

LINE	BEARING	DISTANCE
1	N 0° 00' 00" E	100.00
2	N 0° 00' 00" E	100.00
3	N 0° 00' 00" E	100.00
4	N 0° 00' 00" E	100.00
5	N 0° 00' 00" E	100.00
6	N 0° 00' 00" E	100.00
7	N 0° 00' 00" E	100.00
8	N 0° 00' 00" E	100.00
9	N 0° 00' 00" E	100.00
10	N 0° 00' 00" E	100.00
11	N 0° 00' 00" E	100.00
12	N 0° 00' 00" E	100.00
13	N 0° 00' 00" E	100.00
14	N 0° 00' 00" E	100.00
15	N 0° 00' 00" E	100.00
16	N 0° 00' 00" E	100.00
17	N 0° 00' 00" E	100.00
18	N 0° 00' 00" E	100.00
19	N 0° 00' 00" E	100.00
20	N 0° 00' 00" E	100.00
21	N 0° 00' 00" E	100.00
22	N 0° 00' 00" E	100.00
23	N 0° 00' 00" E	100.00
24	N 0° 00' 00" E	100.00
25	N 0° 00' 00" E	100.00
26	N 0° 00' 00" E	100.00
27	N 0° 00' 00" E	100.00
28	N 0° 00' 00" E	100.00
29	N 0° 00' 00" E	100.00
30	N 0° 00' 00" E	100.00
31	N 0° 00' 00" E	100.00
32	N 0° 00' 00" E	100.00
33	N 0° 00' 00" E	100.00
34	N 0° 00' 00" E	100.00
35	N 0° 00' 00" E	100.00
36	N 0° 00' 00" E	100.00
37	N 0° 00' 00" E	100.00
38	N 0° 00' 00" E	100.00
39	N 0° 00' 00" E	100.00
40	N 0° 00' 00" E	100.00
41	N 0° 00' 00" E	100.00
42	N 0° 00' 00" E	100.00
43	N 0° 00' 00" E	100.00
44	N 0° 00' 00" E	100.00
45	N 0° 00' 00" E	100.00
46	N 0° 00' 00" E	100.00
47	N 0° 00' 00" E	100.00
48	N 0° 00' 00" E	100.00
49	N 0° 00' 00" E	100.00
50	N 0° 00' 00" E	100.00

LEGEND

Shaded colored corners

Place 1/2" iron rod with cap screw N.E. 1/4, 1993

Fence line

HARPER - LEAVITT ENGINEERING, INC.
PROFESSIONAL ENGINEERS AND LAND SURVEYORS
1000 N. 10th St., Suite 100, Boise, Idaho 83702-1000
(208) 333-1000

THIS PLAT
MADE FROM
ORIGINAL SURVEY
DATA AND THE
ORIGINAL SURVEY
DATA IS THE
BEST AVAILABLE

PLAT OF SURVEY

HOUGHLAND FARMS

ADJUDICATION CLAIMS



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

August 8, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

NORTH FORK ENERGY INC
ATTN RICHARD D HEATON
4414 S GEKELER LANE
BOISE ID 83705

RECEIVED

AUG 09 1996

Department of Water Resources

RE: CHANGE OF OWNERSHIP SRBA CLAIM NOS.

A35-04271, A35-07097, A35-07098, A35-07138, A35-07141

A35-08635, A35-11390, A35-11392, A35-13393, A35-11394

AND WATER RIGHT NOS.

35-00007, 35-00028, 35-00029, 35-00047, 35-02014

35-02016, A35-04271, 35-07097, 35-07098, 35-07138

35-07141, 35-07142, 35-08635 & 35-08679

DEAR SIR,

Pursuant to your request for a change in ownership and/or the notification that you presently own the property in which the above-referenced adjudication claim(s) is appurtenant, the department has changed the record of the current owners as you requested. Please find enclosed a copy of your adjudication claims, as they now appear in our records.

The water right numbers listed above will be changed at our state office in Boise. I have forwarded the documents and forms to them for completion.

If you have any further corrections or questions please contact any of our offices.

Sincerely,

STEVE CLELLAND
Water Resource Agent

ENC:

CC: Eastern Region
(208) 525-7161
State Office
(208) 327-7906

MICROFILMED

AUG 05 1996

 Bingham County *
 Boone Creek *
 1.3 cubic feet per second *
 Irrigation and domestic *
 Priority 11-21-1908 *

S T A T E O F I D A H O

Water License No. 4177

WHEREAS, On the 21st day of November A.D. 1908, NATHAN TANNER, JR., of Blackfoot, County of Bingham, State of Idaho, duly made application (No. 5873) to me for a permit to use 1.3 cubic feet per second of the waters of Boone, Spring County of Bingham, State of Idaho, for irrigation and domestic purposes; and

WHEREAS, On the 5th day of December, A.D. 1908, Permit No. 4177, was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 5th day of June, A.D. 1909, and for the application to beneficial use of said water on or before the 5th day of June, A.D. 1909, and

WHEREAS, On the 1st day of June A.D. 1909, NATHAN TANNER, JR., the holder of said permit duly made proof of the completion of adequate works for the diversion of 1.3 cubic feet per second of said waters, as evidenced by my Certificate No. 4177, dated June 29, 1909, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 1.3 cubic feet per second of said waters, with date of priority of November 21, 1908, and

WHEREAS, On the 1st day of June A.D. 1909, NATHAN TANNER, JR., the holder of said permit duly made proof of the application to beneficial use of 1.3 cubic feet per second of said water:

NOW, THEREFORE, By virtue of the authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to NATHAN TANNER, JR., of Blackfoot, County of Bingham, State of Idaho, the holder and owner of said Permit No. 4177, a perpetual right, dating from November 21, 1908, to the use of 1.3 cubic feet per second of the waters of Boone Spring, in the County of Bingham, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point at a point in the southeast quarter of northeast quarter of section 24, township 4S, range 32 East of the Boise meridian, and conducted to and upon (60 acres in the south half of the southeast quarter of section 24, and 20 acres in the northeast quarter of northwest quarter of section 25, township 4 south, range 32 East Boise meridian, for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject also to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 29th day of June A.D.

Nineteen Hundred and nine.

(SEAL)

Jas. Stephenson, Jr.

RECORDED June 29, 1909

State Engineer

35 2014

No. 5873.

35-2014

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Nathan Tanner: Jr.

Postoffice address: Blackfoot.

County: Bingham State: Idaho

2. The quantity of water claimed is one and three tenths cubic feet per second.

3. Source of water supply: Moone Spring.

County of Bingham

4. Location of point of diversion: On the N. line of E2 SE4 of section 24. T. 4 S.R. 32 E1 Boise meridian.

5. To be used for:

I. Irrigation and domestic use

(a) Amount of land to be irrigated: Eighty acres.

(b) In the following legal subdivisions: South half of SE $\frac{1}{4}$ sec. 24. T. 4. South R. 32 east and the NE $\frac{1}{4}$ of the NW Sec. 25. Tp. 4 South, range 32 east of Boise meridian.

6. Estimated cost of works: Two hundred and fifty dollars.

7. Description of works for diversion:

I. Kind of works: Reservoir, dam, and headgates.

II. Dimensions of works:

(a) Height of dam three feet, length of dam at top two hundred feet, length of dam at bottom two hundred feet. Material used in construction Earth and stone.

(c) Size of headgate: Width four (4) feet, height two (2) feet.

(d) Conduit ditch, width at bottom three feet, width at water line four feet, depth of water one foot. Average grade per mile is three feet. Length of conduit is one and a quarter miles, and it crosses the following quarter sections, SE4 sec. 24. NE4 and NE4 of NW4 Sec 25. Tp. 4 south, range 32 east of the Boise meridian. to land described in S I (b) above which is the point of intended use,

8. Time required for the completion of the construction of such work is ...years.

9. Time required for the complete application of the water to the proposed use is when ever needed

BE IT KNOWN, That the undersigned hereby makes application for a permit to appropriate the public waters of the State of Idaho as herein set forth.

Nathan Tanner Jr.

Applicant.

Remarks: The works above described are made, and the ditch, dam, and headgates completed, and the water has been applied upon much of said land heretofore, upon each legal subdivisions mentioned, applied for in this application; and this appropriation is intended to be in addition to all, and without waiving any, of the rights heretofore acquired. The water applied for has been applied upon the NW4 of the SE4 of Sec. 24. and upon the NE4 of the NW4 of Sec. 25. aforesaid for several years.

APPROVAL OF STATE ENGINEER.

The number of this permit is 4177.

Date of first receipt of application: 9.00 a.m. November 21, 1908.

Returned to applicant for correction. November 21, 1908.

Corrected application received November 23, 1908.

Recorded in Book 11. Page 4177. Approved December 5, 1908.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby grant the same, subject to the following limitations and conditions:

Work to begin on or before February 4, 1909, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the holder has no control.

One-fifth of the work above specified to be completed on or before March 5, 1909.

The whole of said work to be completed on or before June 5, 1909.

The time for proof of beneficial use of water appropriated in accordance herewith, to extended to June 5, 1909

Witness my hand this fifth day of December, 1908.

Jas. Stephenson, Jr.

State Engineer.

Blank Notice of proof of completion and beneficial use mailed applicant March 1, 1909.

Notice received March 18, 1909, fixing June 1, 1909 as date and Tilden, Idaho, as place of proof.

Notice for publication mailed Idaho Republican April 16th, 1909.

Deposition blanks mailed Applicant April 16, 1909.

Jas. Young authorized April 16, 1909 to make examination of works.

Deposition of holder and witnesses, affidavit of publication, fees and report received June 5, 1909.

Certificate of completion of works issued June 29, 1909.

PERMIT No. 4177.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that Nathan Tanner, Jr., of Blackfoot, County of Bingham, and State of Idaho, the holder of Permit No. 4177, issued upon Application No. 5873 bearing date of priority of November 21, 1908, authorizing the diversion of 1.3 second feet of the waters of Boone Spring, County of Bingham, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1.3 second feet of the waters of Boone Spring; that the point of Diversion of said waters is at a point in the southeast quarter of northeast quarter of section 24, township 4 south range 32 East of the Boise Meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: South half of southeast quarter of section 24, and the northeast quarter of northwest quarter of section 25, township 4 south, range 32 east of the Boise meridian.

Witness my hand this 29th day of June, A. D. 1909.

Jas. Stephenson, Jr.

State Engineer of the State of Idaho.

License issued for 1 3 second feet

Page 484



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

July 16, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JOHN L MILLER
PO BOX 2260
NAPA CA 94558

RE: Water Right 35-02014

Dear Mr. Miller:

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact the department if you have questions.

Sincerely,

L. Glen Saxton
for L. GLEN SAXTON, Chief
Water Allocations Bureau

LGS:klt

Enclosure

MICROFILMED
AUG 05 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

July 7, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

NORTH FORK ENERGY INC
RICHARD D HEATON
4414 S GEKELER LN
BOISE ID 83705

RE: Water Right 35-02014

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact the department if you have questions.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocations Bureau

LGS:klt

Enclosure

MICROFILMED
AUG 05 1999

Report of Engineer

1. State name of applicant and number of permit: *N. Tanner Permit # 4177*
2. State source of water supply: *Boone Spring*
3. Location of point of diversion: *N. 61°40'W + 1140 feet distant from East 1/4 corner of Sec 24 T.4.S. R.32.E. B.M.*
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: *Works of diversion are fully completed*
5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: *4 feet*
 - (b) Width at water line: *6 feet*
 - (c) Depth of water: *1 foot*
 - (d) Grade per mile: *6 feet*
6. State whether or not water has been turned into works of diversion and if so, to what extent: *Water has been used from this ditch for past two years*
7. Give exact location of lands to be irrigated. ~~Give exact number of acres under cultivation in each forty acre tract:~~ *5 1/2 of SE 1/4 Sec 24 + NE 1/4 of N.W. 1/4 of Sec 25 T.4.S. R.32.E. B.M.*
8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks:

James Young

STATE OF IDAHO,

County of *Bingham* } ss.

James Young, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this *8th* day of *Sept* 190*9*.

My Commission Expires *Nov. 12th 1911.*

W. H. Chubb
Notary Public.

4177

