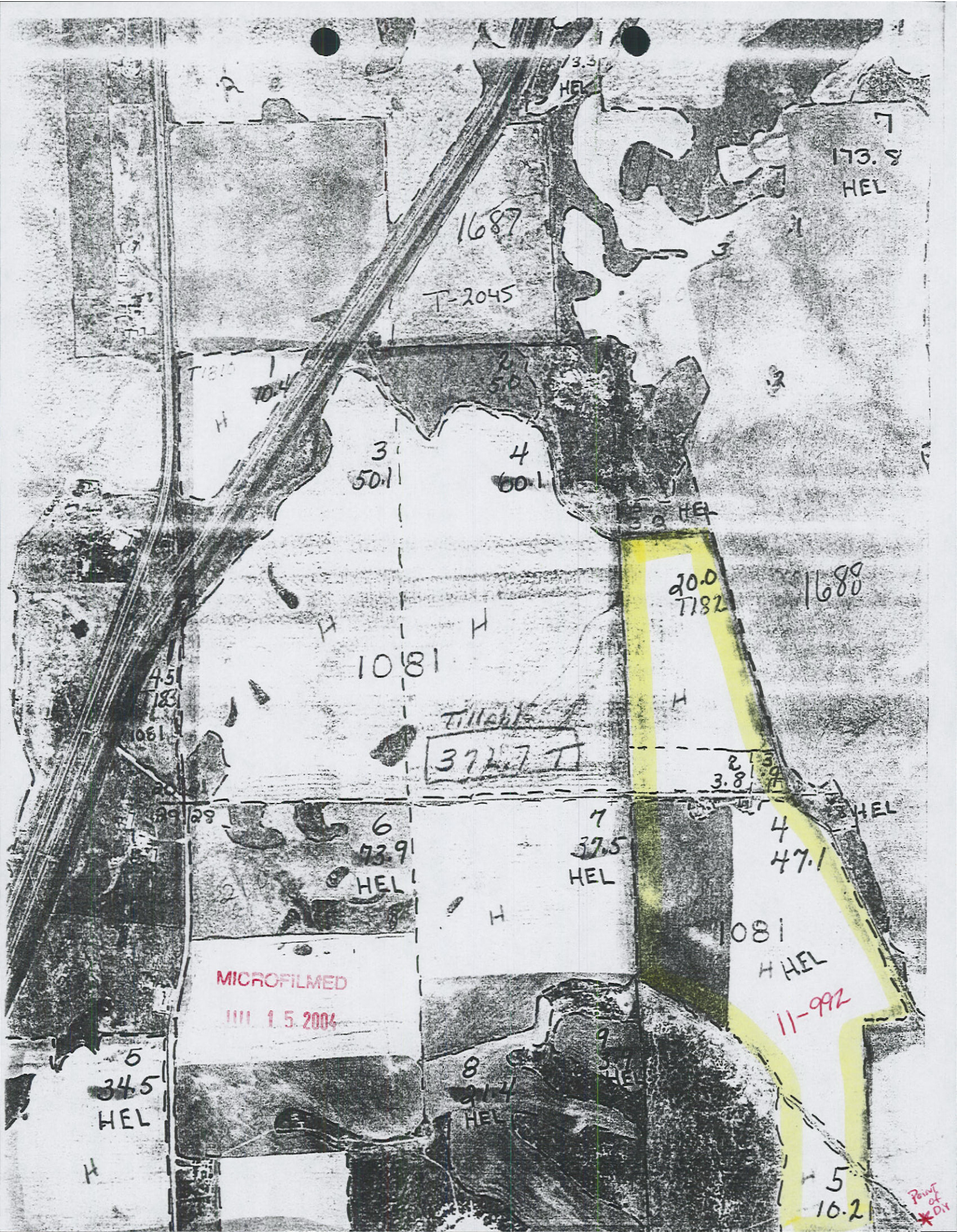




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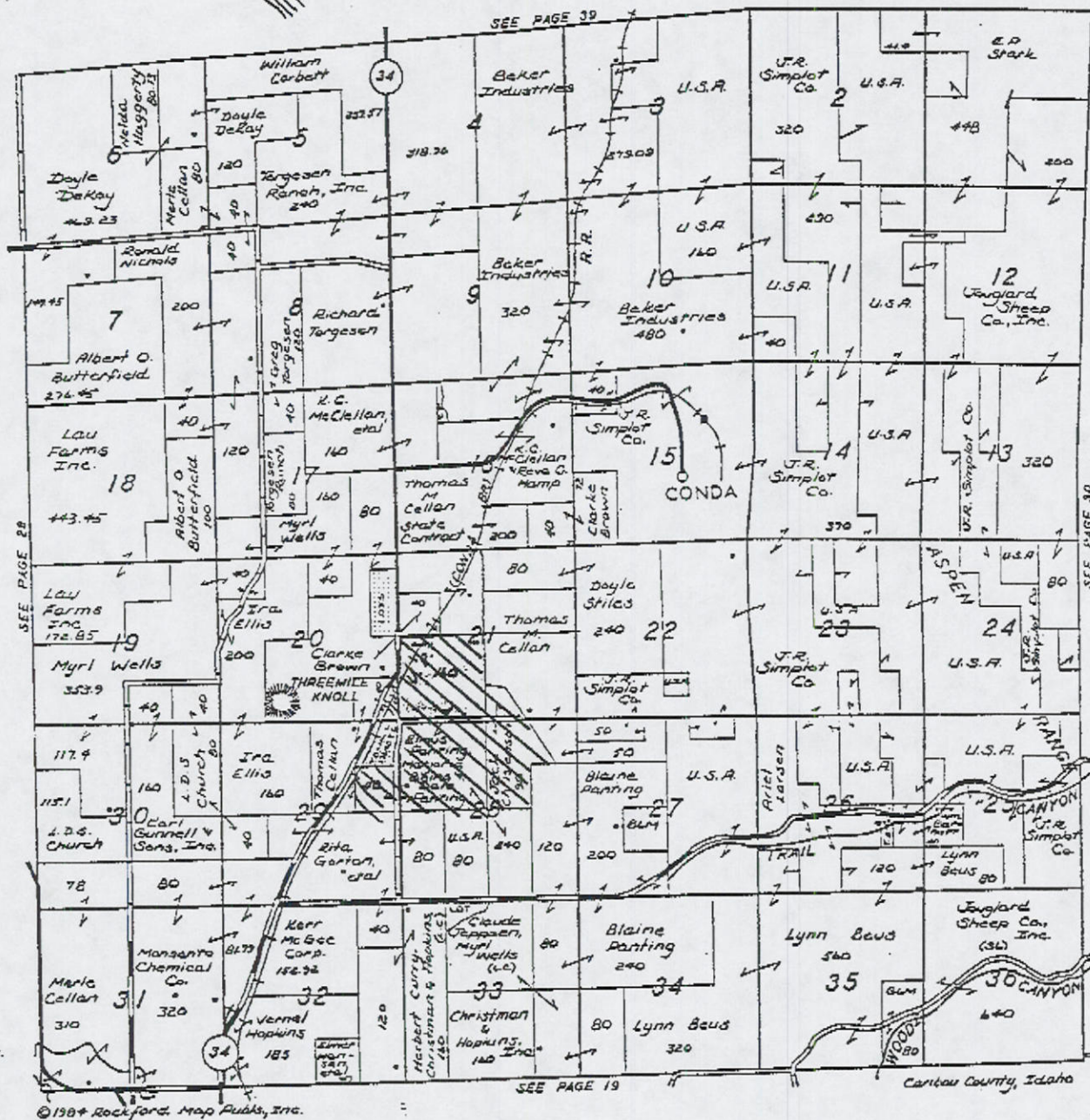
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Water Right 11-992 11-991B

T.8S.-R.42E.

29



This Plat is made solely for the purpose of assisting in locating the land, and the Company assumes no liability for variations, if any with an actual survey.

MICROFILMED

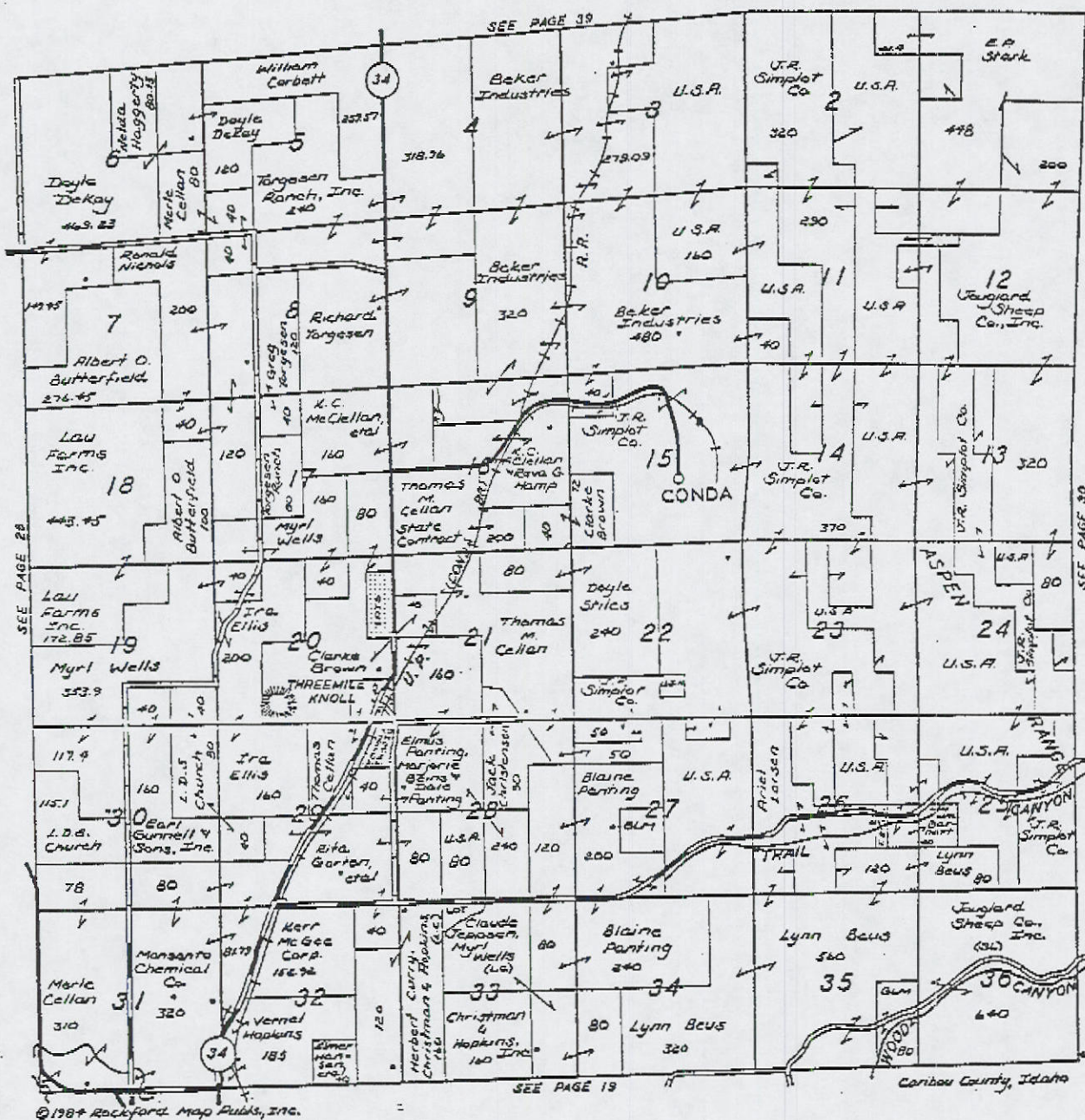
JUL 15 2004

KLT 4 WR-11992
W
208 327-7866

208^W 327-7866

T.8S.-R.42E.

29



This Plat is made solely for the purpose of assisting in locating the land, and the Company assumes no liability for variations, if any with an actual survey.

MICROFILMED

JUL 15 2004

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 division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
11-991 B					
11-992					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. *Fee received - Thank You.*
- 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 usually attached to your deed or on file with the county).

OR

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 **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)

4. New Owner/Claimant(s)

KASEY MARY CHRISTENSEN RENE E CHRISTENSEN
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

100 E 2ND SOUTH

City, State and ZIP Code

SODA SPRINGS IDAHO 83276

New Telephone Number

(208) 547-3892

5. Date you acquired the property

Dec. 1988 Aug 1976

MICROFILMED

JUL 15 2004

KASEY - WORK # 801-561-3620

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 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 (one water right per box, you may copy this page as 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(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

[Signature]
Personal Representative for Douglas Jack
CHRISTENSEN

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.

For Office Use Only

Received by AC Date 1-31-03 Fee \$25⁰⁰ x 3 (\$75⁰⁰)
 Receipted by AC Date 1-31-03 Receipt No. E028470
 Processed by AJ Date 1-31-03 WR 1-31-03 Date _____

MICROFILMED

JUL 15 2004

Philip A. Packer
Attorney at Law
115 East Main Street
P. O. Box 609
Rexburg, Idaho 83440
Telephone: (208) 356-9356
Facsimile: (208) 356-9336
Idaho State Bar #3035

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF CARIBOU
MAGISTRATES DIVISION

IN THE MATTER OF THE ESTATE OF:)
) Case No.
Douglas Jack Christensen,)
) LETTERS TESTAMENTARY
Deceased.)

KASEY MACK CHRISTENSEN was duly appointed and qualified as Personal Representative of the estate of the above named Decedent on the ____ day of May, 2000, by the Magistrates Division of the Sixth Judicial District of the State of Idaho, in and for the County of Caribou. Said Personal Representative was granted all authority to administer the estate of the above named Decedent.

Administration of this estate is unsupervised.

These letters are issued to evidence the appointment, qualification, and authority of the said Personal Representative.

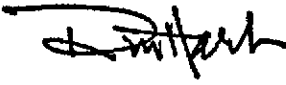
STATE OF IDAHO
COUNTY OF CARIBOU

WITNESS, my signature and the Seal of this Court, this 5 day of May, 2000.

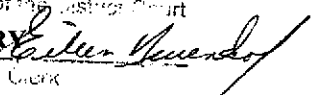
ss.

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING IS A FULL TRUE AND CORRECT COPY OF THE ORIGINAL AS THE SAME APPEARS OF RECORD OR ON FILE IN THIS OFFICE.

IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE OFFICIAL SEAL OF THIS OFFICE AT SODA SPRINGS, IDAHO, THIS 5 DAY OF May 20 00


Ronald M. Hart, Magistrate Judge

LETTERS TESTAMENTARY
4630\LETTERS.MS

Edie Izatt
Clerk of the District Court

Deputy Clerk

MICROFILMED

JUL 15 2004

Warranty Deed

THIS INDENTURE, Made this 13th day of October
in the year of our Lord One Thousand Nine Hundred and Seventy-six, between Morgan D. Leavitt and
Vickie S. DeKay, formerly Vickie S. Leavitt

of Soda Springs, County of Caribou, State of Idaho
the part ies of the first part, and

Douglas Jack Christensen and Renee Christensen, husband and wife, 249 East 2nd North,
of Soda Springs, County of Caribou, State of Idaho 83276
the part ies of the second part:

WITNESSETH: That the said part ies of the first part, for and in consideration of the sum of
SEVENTY THOUSAND AND NO/100- - - - - DOLLARS,
lawful money of the United States of America, to them in hand paid by the said part ies of the second part, the receipt
whereof is hereby acknowledged

, do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said part ies
of the second part, and to their heirs and assigns forever: All that certain lot
piece or parcel of land situate, lying and being in the County of Caribou, State of Idaho, bounded
and more particularly described as follows, to-wit:

Township 8 South, Range 42 East of the Boise Meridian:

- Section 20: That part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ lying East of the Monsanto Haul Road, EXCEPT
THEREFROM that portion of the following described tract lying within
the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 20:
Beginning at a point in the West right-of-way line of the County Road,
where said right-of-way line intersects the South line of the NE $\frac{1}{4}$ NE $\frac{1}{4}$
of Section 29, Township 8 South, Range 42 East of the Boise Meridian;
and running
thence Northerly along the Westerly right-of-way line of said County
Road 1353 feet, more or less, to a point where said County Road runs
in a Northwesterly direction;
thence Northwesterly along said County Road 420 feet to the Easterly
right-of-way line of the Monsanto Haul Road;
thence Southwesterly along said Easterly right-of-way line of said
Monsanto Haul Road 1710 feet, more or less, to the South line of
the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 29;
thence East 970 feet, to the point of beginning.
- Section 21: That part of the W $\frac{1}{2}$ SE $\frac{1}{4}$ lying South and West of the Cellan-Panting ditch.
- Section 28: SW $\frac{1}{4}$ NE $\frac{1}{4}$, and that part of the N $\frac{1}{2}$ NE $\frac{1}{4}$ lying West of the Cellan-Panting
ditch, EXCEPT THEREFROM, Beginning at a point North 89°23' West 1971.9
feet along the Section line from the Northeast corner of said Section
28, and running
thence South 0°37' West 100 feet;
thence North 89°23' West 100 feet;
thence North 0°37' East 100 feet;
thence South 89°23' East 100 feet along the Section line,
to the point of beginning.

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

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident
unto the said part ies of the second part, and to their heirs and assigns forever. And the said
part ies of the first part, and their heirs the said premises in the quiet and peaceable possession
of the said part ies of the second part their heirs and assigns against the said part ies of the
first part, and their heirs and against all and every person or persons whomsoever, lawfully claiming
or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hand S and
seal S the day and year first above written.

Signed, Sealed and Delivered in the Presence of

Morgan D. Leavitt [Seal]
Vickie S. DeKay [Seal]
MICHAEL L. LAMON [Seal]

_____ [Seal]

STATE OF IDAHO,
County of Caribou.

ss.

On this 27th

day of October,

in the year 1976, before me

a Notary Public in and for said County and State, personally appeared
the undersigned Morgan D. Leavitt and Vickie S. DeKay, formerly Vickie S. Leavitt

known to me to

be the person whose name is subscribed to the within instrument, and acknowledged to me that he 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.

Leonard O. Kingford
Notary Public.

Residence and P. O. Address Soda Springs, Idaho.

My commission expires: August 14, 1977.

82970

WARRANTY DEED

Morgan D. Leavitt and Vickie S.
DeKay, formerly Vickie S.

Leavitt,

TO

Douglas Jack Christensen and
Renee Christensen, husband and
wife.

Dated October 13, 1976

STATE OF IDAHO,
County of Caribou. } ss.

I hereby certify that this instrument was filed for
record at the request of

Caribou Title Company

at 30 minutes past 2
o'clock P M., this 10th day
of November, A. D. 1976

in my office and duly recorded in ~~BOOK~~ the
microfilm records.

Elaine S. Johnson

Ex-Officio Recorder.

By Elaine S. Johnson
Deputy.

Fee, \$ 2.00

RECORDED
INDEXED

Warranty Deed

RECEIVED

NOV 2 1988

Department of Water Resources
Eastern District Office

THIS INDENTURE, Made this 15th day of May,
in the year of our Lord One Thousand Nine Hundred and sixty-eight, between
Thomas Cellan and Dorothy G. Cellan, husband and wife,

of Soda Springs , County of Caribou , State of Idaho,
the parties of the first part, and

Morgan D. Leavitt and Vickie S. Leavitt, husband and wife,
of Soda Springs, County of Caribou, State of Idaho,
the parties of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of FORTY THOUSAND AND NO/100- - - - - DOLLARS, lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged

of the second part, and to their heirs and assigns forever: All those certain lots, pieces or parcels of land situate, lying and being in the County of Caribou, State of Idaho, bounded and more particularly described as follows, to-wit:

Township 8 South, Range 42 East of the Boise Meridian:

Section 20: That part of the $SE\frac{1}{4}SE\frac{1}{4}$ lying East of the Monsanto Haul Road.
Section 21: That part of the $W\frac{1}{2}SE\frac{1}{4}$ lying South and West of the Cellan-Panting ditch.
Section 28: $SW\frac{1}{4}NE\frac{1}{4}$, and that part of the $N\frac{1}{2}NE\frac{1}{4}$ lying West of the Cellan-Panting ditch.
Section 29: That part of $NE\frac{1}{4}NE\frac{1}{4}$ lying East of Monsanto Haul Road and West of the County Road, and, also, that part of the $SW\frac{1}{4}NE\frac{1}{4}$ lying East of the Monsanto Haul Road, EXCEPT THEREFROM, Beginning at the point of intersection of the East right of way line of the Monsanto Haul Road, and the North line of Section 29, and running
thence Northeasterly along said right of way, a distance of 210 feet, to the TRUE POINT OF BEGINNING, and running
thence Northeasterly along said haul road right of way a distance of 135 feet, to a county road right of way;
thence Southeasterly along said county road, 80 feet;
thence Southwesterly, parallel to the Monsanto Haul Road, 135 feet;
thence Northwesterly 80 feet, to the TRUE POINT OF BEGINNING.
EXCEPT THEREFROM the following described tract:
Beginning at a point North $89^{\circ}23'$ West 1971.9 feet along the Section line from the Northeast corner of said Section 28, aforesaid, and running
thence South $0^{\circ}37'$ West 100 feet;
thence North $89^{\circ}23'$ West 100 feet;
thence North $0^{\circ}37'$ East 100 feet;
thence South $89^{\circ}23'$ East 100 feet along the Section line, to the point of beginning.

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

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident unto the said parties of the second part, and to their heirs and assigns forever. And the said parties of the first part, and their heirs the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns against the said parties of the first part, and their heirs and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, *The said parties* of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of

James Cullen [Seal]
Dorothy S. Cullen [Seal]
[Seal]
MICROFILMED [Seal]

STATE OF IDAHO,
County of Caribou

ss.

On this 15th day of May, in the year 1968, before me
the undersigned, a Notary Public in and for said County and State, personally appeared

Thomas Cellan and Dorothy G. Cellan, husband and wife, known to me to
be the persons whose names are subscribed to the within instrument, and acknowledged to me that they 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.

Leonard O. Kingsford
Notary Public.

Residence and P. O. Address Soda Springs, Idaho.
My commission expires: August 14, 1969.

88972

WARRANTY DEED

Thomas Cellan and

Dorothy G. Cellan,

husband and wife,

TO

Morgan D. Leavitt and

Vickie S. Leavitt,

husband and wife.

Dated May 15, 1968

STATE OF IDAHO,

County of Caribou } ss.

I hereby certify that this instrument was filed for
record at the request of

Caribou Title Company

at 10 minutes past 3:00

o'clock P. M., this 10th day

of November, A. D. 1976

in my office and duly recorded in the Micro-
film Records of said County.

Elaine S. Johnson

Ex-Officio Recorder.

By *Wanda F. Johnson*

Deputy.

Fee, \$ 4.00

MICROFILMED

APR 28 2004

CARIBOU COUNTY
159 S MAIN
SODA, ID83276

2002

ASSESSMENT NOTICE
& ESTIMATE OF TAX

THIS IS NOT A BILL.
DO NOT PAY.

PARCEL DESCRIPTION:

BW1/4NE1/4, TRN1/2NE1/4 W OF
DITCH, APPROX 88 AC.
SEC 28 T8S R42E

For any questions, please notify the Assessor's Office immediately.

Assessor's Telephone Number: (208)-547-4749

PARCEL ADDRESS:

CHRISTENSEN, DOUGLAS JACK
100 E 2 S
SODA SPRINGS, ID 83276

Appeals of your property value must be filed in
writing, on a form provided by the County, by:

JUN 24, 2002

Tax Code Area: 04

Parcel Number: 16940

CIRCUIT BREAKER IS NOT INCLUDED

ASSESSED VALUE OF YOUR PROPERTY

CURRENT CATEGORY AND DESCRIPTION	LOTS/ACRES	LAST YEAR'S VALUE	CURRENT YEAR'S VALUE
05 DRY GRAZING	25.00	969	969
10 HOMESITE VALUE		4,800	4,800
19 WASTE	3.00		
01 IRRIGATED AG	60.00	23,128	23,128
32 NONRESIDENTIAL		2,880	2,880
SUBTOTAL:	88.00	31,777	31,777
LESS HOMEOWNERS EXEMPTION:			
NET TAXABLE PROPERTY VALUE:	88.00	31,777	31,777

These values may not include personal property values. Taxes are based on the values shown on this Notice and on the Budgets of the taxing districts.

ESTIMATED PROPERTY TAXES

TAXING DISTRICTS	LAST YEAR'S TAXES	CURRENT YEAR'S ESTIMATED TAXES	PHONE NUMBER	DATE OF PUBLIC BUDGET HEARING
SCHOOL DIST 150	262.92	262.92	(208)-547-3371	06/12/2002
COUNTY	192.20	192.20	(208)-547-4324	09/03/2002
FAIRVIEW CEM	5.30	5.30		NoResponse
SUBTOTAL:	460.42	460.42		
TOTAL PROPERTY TAXES & FEES:	460.42	460.42		

THIS IS NOT A BILL. DO NOT PAY.

See the back of this Notice for details.

JUL 15 2004

JARIBOU COUNTY
159 S MAIN
SODA, ID 83276

2002

THIS IS NOT A BILL.
DO NOT PAY.

ASSESSMENT NOTICE
& ESTIMATE OF TAX

PARCEL DESCRIPTION:

TR W1/2SE1/4 SD&W OF DITCH
APPROX 25 AC
SEC 21 T6S R42E

For any questions, please notify the Assessor's Office immediately.

Assessor's Telephone Number: (208)-547-4749

PARCEL ADDRESS:

Appeals of your property value must be filed in
writing, on a form provided by the County, by:

JUN 24, 2002

Tax Code Area: 04

Parcel Number: 16800

CHRISTENSEN, DOUGLAS JACK
100 E 2 S
SODA SPRINGS, ID 83276

NE
Wiper Corner

CIRCUIT BREAKER IS NOT INCLUDED

ASSESSED VALUE OF YOUR PROPERTY

CURRENT CATEGORY AND DESCRIPTION		LOTS/ACRES	LAST YEAR'S VALUE	CURRENT YEAR'S VALUE
01 32	IRRIGATED AG NONRESIDENTIAL	25.00	9,633 350	9,633 350
SUBTOTAL:		25.00	9,983	9,983
LESS HOMEOWNERS EXEMPTION:				
NET TAXABLE PROPERTY VALUE:		25.00	9,983	9,983

These values may not include personal property values. Taxes are based on the values shown on this Notice and on the Budgets of the taxing districts.

ESTIMATED PROPERTY TAXES

TAXING DISTRICTS	LAST YEAR'S TAXES	CURRENT YEAR'S ESTIMATED TAXES	PHONE NUMBER	DATE OF PUBLIC BUDGET HEARING
SCHOOL DIST 150 COUNTY FAIRVIEW CEM	82.60 60.38 1.66	82.60 60.38 1.66	(208)-547-3371 (208)-547-4324	06/12/2002 09/03/2002 NoResponse
SUBTOTAL:	144.64	144.64		
TOTAL PROPERTY TAXES & FEES:	144.64	144.64		

THIS IS NOT A BILL. DO NOT PAY.
See the back of this Notice for details.

Microfilm

15 2004



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JUN 15 2004

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EARNEST MONEY AGREEMENT

THIS IS A LEGALLY BINDING CONTRACT. IF NOT UNDERSTOOD, SEEK COMPETENT ADVICE.

RECEIVED OF:

Soda Springs

IDAHO,

August 19

1976

Douglas J. Christensen



herein called "Buyer," the sum of One Thousand and no/100 (\$1,000.00) Dollars in the form of Cashier's check paid to the broker as earnest money and in part payment of the purchase price for the following property situated in Caribou County, Idaho 120 Acres more or less in Sections 20, 21 and 28 T8S, R 42 E.B.M. (see attached legal description)

(If more space is needed, continue on reverse side.)

Buyer hereby offers to purchase the above described property in its present condition, after full inspection, on the terms and conditions herein provided for; and agrees to give the seller 5 days, from this date, to accept said terms and conditions during which time this offer shall not be revocable.

Included as part of the property sold to the buyer are such of the following items as may now be on the premises, which will be delivered free and clear of encumbrances: All existing linoleum, window screens, screen doors, television antennae, shades, venetian blinds, curtain rods, attached lighting, plumbing and bathroom fixtures, water-heating apparatus and fixtures, awnings, ventilating, cooling and heating systems, irrigation fixtures and equipment, all water and water rights, ditches, and ditch rights appurtenant thereto, and subject to the assessments therein, trees, plants and shrubs and all other attached fixtures not herein reserved or excepted; together with the following personal property:

Water rights to city spring, (150") sprinkler pipe and pump, miscellaneous farm machinery.

(see exhibit "A" attached) # 11-992

The total purchase price is:

SEVENTY THOUSAND and no/100 (\$70,000.00) Dollars and after deducting the sum hereinbefore receipted for the balance shall be payable as follows:

\$19,300.00 down payment to be paid upon closing. Balance of purchase price in the amount of \$49,700.00 to be obtained from Federal Land loan. In the event said loan is not obtainable earnest money to be returned to buyers. This offer subject to above described water rights in city spring to be confirmed by decree. This offer also subject to said parcel of land being released by Eastern Idaho Production Credit Assoc. and Thomas Callan and Dorothy Callan as recorded on Instrument #72952, 1/25/72. Buyer agrees to accept terms of present lease on said property now held by Jerry Bane, lessee. Sellers to have all personal property, including mobile home, removed from premises by closing date - approx. 10/30/76. If Nov. 15th, 1976 lease payment of \$4000.00 is paid to Tri-State bank by lessee before closing, selling price to be reduced to \$66,000.00.

(If more space is needed, continue on reverse side.)

Seller authorizes the real estate broker, hereinafter referred to as "Broker," to order and charge to Seller's account, immediately upon acceptance of this offer, and of assurance of any contemplated financing, if provided for hereinabove, either a policy of Title Insurance (using a preliminary title report prior to close of sale, after which the Title Insurance Policy will be issued) or, at the Seller's option an abstract of title certified to a date subsequent hereto evidencing condition of the title for inspection and approval of the Buyer. If Buyer's approval of the condition of the title is withheld, Buyer shall have 10 days after receipt of evidence of title in which to deliver to Seller or Broker written objections thereto. Failure to so object within the 10 day time limit provided shall be deemed approval and acceptance of the condition of the title. The Broker shall in no way be responsible for delivery to Buyer, or condition of the title.

The earnest money deposited herein shall be refunded to Buyer and this agreement voided if the Seller fails to accept Buyer's offer within the time provided, or if merchantable title cannot be delivered within a reasonable time. Should the improvements on subject property be materially damaged by fire or otherwise, prior to closing this sale, this agreement shall be voidable at the option of the Buyer.

Unless otherwise provided herein, the real property shall be conveyed by warranty deed, free of encumbrances except for rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit, and rights of way and easements of record. Any encumbrances to be discharged by Seller may be paid out of the purchase money at date of closing.

The parties hereto authorize the Broker to arrange financing, if financing is required and Buyer agrees to use his best efforts to obtain such financing. Financing costs shall be paid by Buyer. However, if FHA or GI regulations apply to limit Buyer's loan service fee, Seller agrees to pay any excess thereof.

All taxes, rents, insurance premiums and interest shall be prorated as of possession date, which shall be on or before

Oct. 30, 1976

In case the Buyer shall fail to promptly perform any covenant or agreement aforesaid and to do all things necessary and prerequisite to the consummation of this sale, the Seller may declare a forfeiture of this contract, and all rights of the Buyer shall cease and payments made by him may be retained by the Seller as liquidated damages, and not as a penalty, or the Seller may pursue any other remedy available under the laws of the State of Idaho. In any action brought upon this agreement, the prevailing party shall be entitled to reasonable attorney fees.

This agreement shall bind the heirs, executors, administrators, successors and assigns of the respective parties hereto, and time is of the essence hereof. There are no verbal agreements which modify the terms and conditions hereof.

Broker: City & Ranch Realty, Inc. BUYER: Douglas J. Christensen 249 East 2nd North Soda Springs, Idaho (Address)

By [Signature] BUYER: [Signature] Phone: 547-3892

SELLER ACCEPTS the foregoing terms and conditions and agrees to sell the above property to Buyer and to pay the Broker's commission

5% of selling price

the proceeds of this sale. In the event the earnest money receipted for in connection with this sale is forfeited, Seller agrees that one-half thereof shall be retained by the broker, provided the amount to the broker does not exceed the agreed upon commission due, and the balance shall be paid to the undersigned Seller.

Dated 8-20, 1976

SELLER: [Signature]

STATE OF Idaho COUNTY OF Caribou SS.

SELLER: [Signature]

On this 20th day of August, 1976, before me, a Notary Public in and for said

State, personally appeared Douglas J. Christensen and Vickie S. Christensen

MICROFILMED

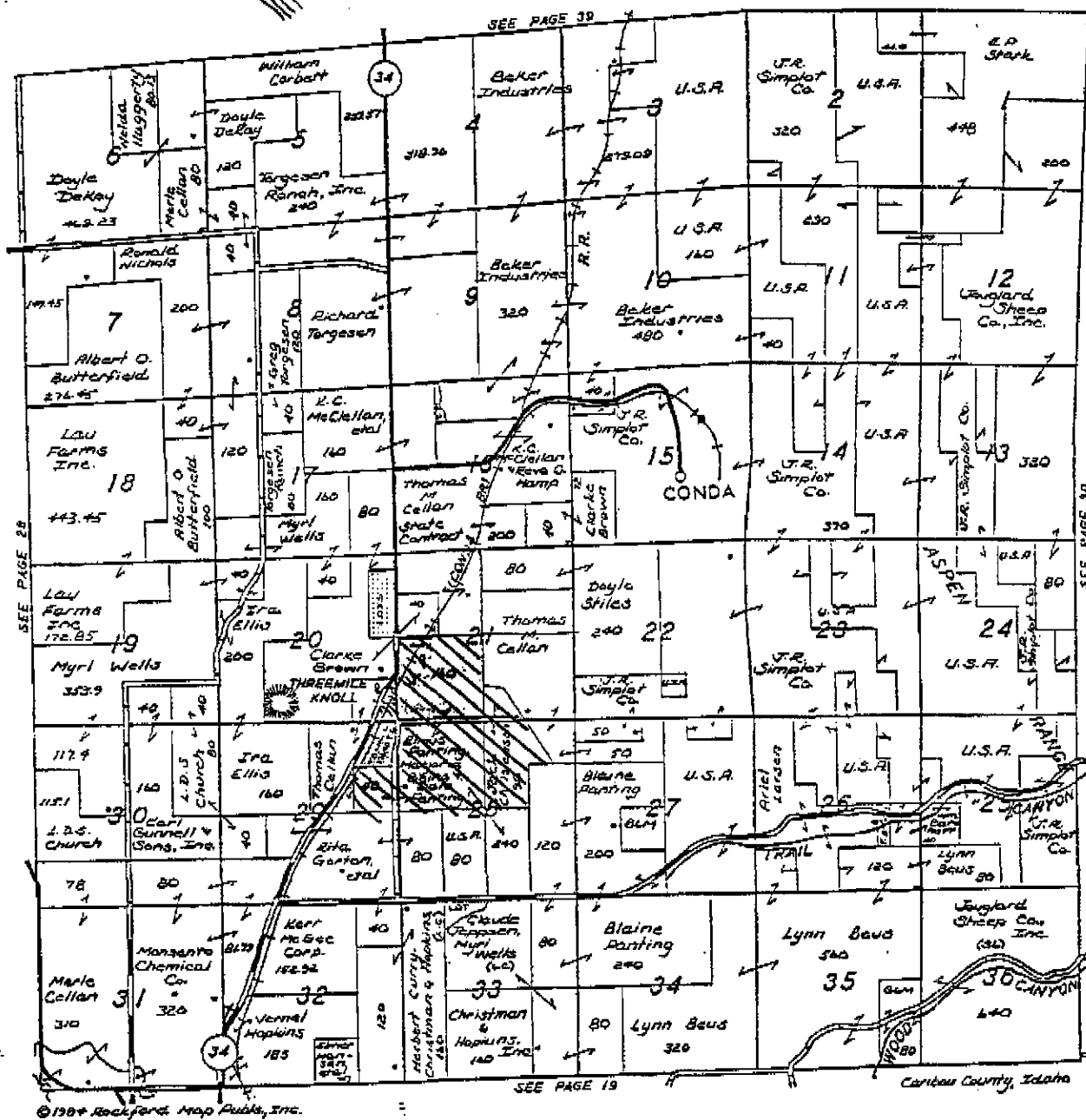
known to me to be the person

JUL 15 2004

Water Right 11-992 11-991B

T.8S.-R.42E.

29



This Plat is made solely for the purpose of assisting in locating the land, and the Company assumes no liability for variations, if any with an actual survey.

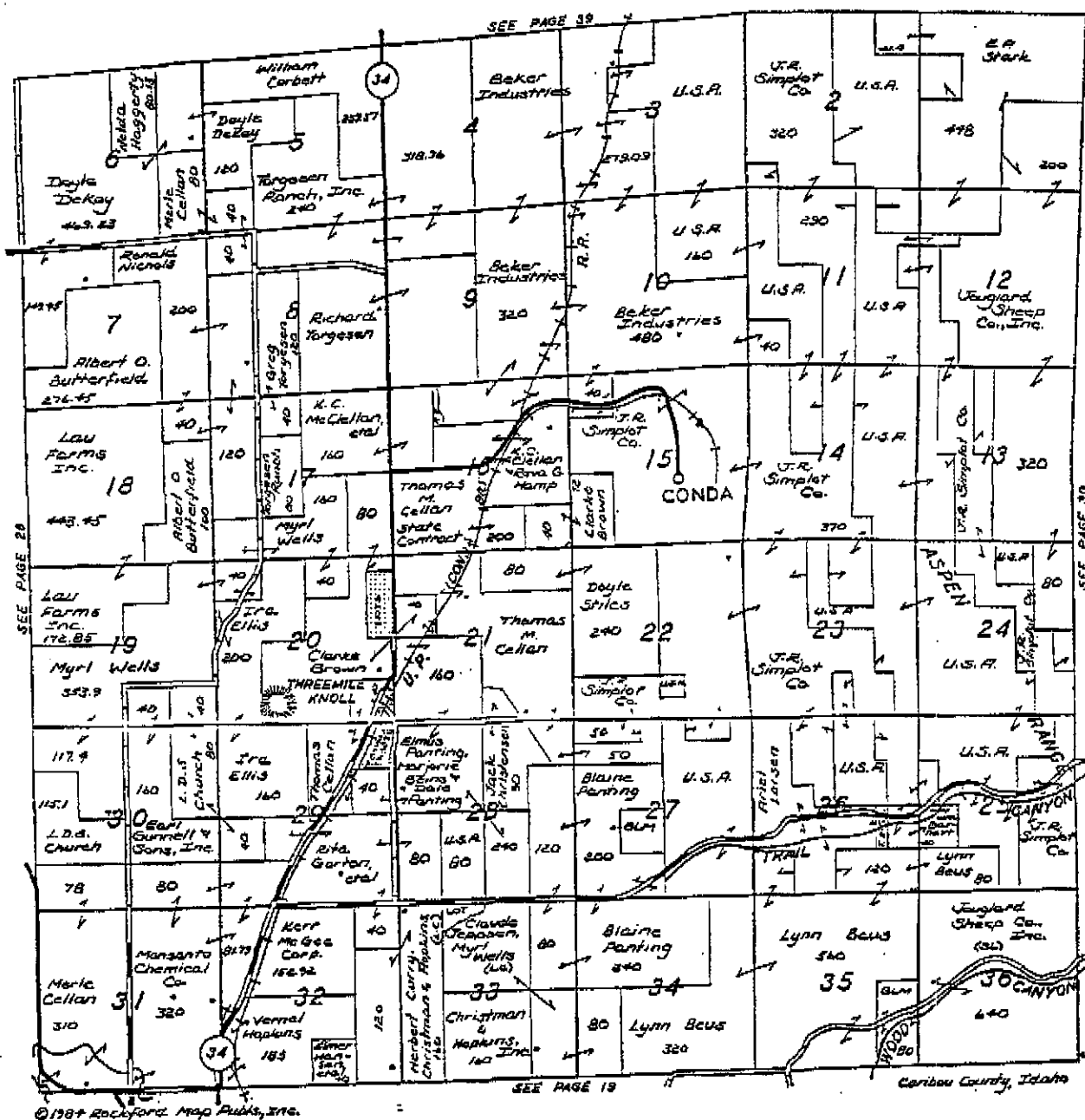
MICROFILMED

JUL 15 2004

KLT 4-WR-11-992
20X 327-7866

T.8S.-R.42E.

29



This Plat is made solely for the purpose of assisting in locating the land, and the Company assumes no liability for variations, if any with an actual survey.

MICROFILMED

JUN 15 2004

RECEIVED

MAR 27 2003

IN THE OFFICE OF THE IDAHO DEPARTMENT
OF WATER RESOURCES

Department of Water Resources

IN THE MATTER OF THE APPLICA-)
TION OF THE CITY OF SODA)
SPRINGS TO APPROPRIATE WATER)
FROM FORMATION SPRING LOCATED)
IN CARIBOU COUNTY, IDAHO)
Application No. 11-7356)

PROTEST

COME NOW the following Protestants:

Farrell B. Panting
HC 70, Box 2085
Soda Springs, Idaho 83276

Blaine Panting
Star Route
Soda Springs, Idaho 83276

Dale C. Panting
7013 S. 2310 West
West Jordan, Utah 84084

Elmus Panting
Box 631
Soda Springs, Idaho 83276

Marjorie Beins
P.O. Box 841
Soda Springs, Idaho 83276

Jack Christensen
Soda Springs, Idaho 83276

hereinafter referred to collectively as "Protestants", by and through their attorney, Louis F. Racine, Jr., Racine, Olson, Nye, Cooper & Budge, Chartered, P.O. Box 1391, Pocatello, Idaho 83204, and hereby protest the above-referenced Application as follows:

Post-it* Fax Note	Date	# of pages
7671	From KADEY CARLSON	
To Shaella Curtis	Co.	Phone #
Co./Dept.		Fax #

MICROFILMED

MAR 15 2004

RCT

561

1. That all of the waters of Formation Springs and Formation Creek which rise in the northwest quarter of the southwest quarter of Section 27 and the northeast quarter of the southeast quarter of Section 28, Township 8 South, Range 42 E.B.M. in Caribou County, Idaho, were fully adjudicated in the matter of Daniel J. Lau, et al., Plaintiffs, vs. Chris Panting, et al., Defendants, in the Fifth Judicial District of the State of Idaho, in and for the County of Caribou by Decree entered by District Judge B. S. Varian on November 6, 1919, and recorded in Book 1 at page 157 of Judgment Records of Caribou County, Idaho, on July 18, 1941, more commonly known as the "Panting Decree".

2. That the Protestants collectively own 11.0 cfs of water rights under said Panting Decree with a priority date of May 1, 1887, which rights have been continuously diverted and applied to the beneficial use for irrigation and other purposes from May 1, 1887 to date, to-wit:

(a) Elmus Panting, Dale Panting, and Marjorie Beins ^{Bought 88} are the owners as successors in interest of 6.0 cfs of water rights originally decreed to Chris Panting;

(b) Jack Christensen is the owner and successor ^{Bought 76} in interest of 3.0 cfs of water rights originally decreed to Edelbert Panting;

(c) Blaine Panting, is the owner and successor in interest of 1.5 cfs of the water rights originally decreed

PROTEST - 2

MICROFILMED

JUL 15 2004

RC1.

561

to divert water from Formation Springs in the amount of 25.0 cfs for power production purposes and 25.0 cfs for municipal purposes. Notice of this Application was published March 6 and 13, 1986, in the Caribou County Sun, with the last date to file protests being March 24, 1986.

6. Formation Springs and Formation Creek are fully appropriated, pursuant to said Panting Decree and the rights set forth in paragraph 3 above. Accordingly, the water supply is insufficient for the purposes for which it is sought to be appropriated by Applicant and will reduce the quantity of water available to supply the existing water rights of the Protestants.

7. Protestants believe the Application is not made in good faith and has been submitted for delay and/or speculative purposes for the reason that the Applicant presently has ample water for municipal purposes from its existing rights in Formation Springs and Ledge Creek. There is no reason to believe that additional municipal water will be required, particularly since the Applicant has been experiencing a diminished growth rate and consequently reduced water use due to depressed economic conditions in the area. It is further submitted that the Application for power production is speculative in that the City has an adequate supply of power at reasonable rates pursuant to contractual agreements entered into with the Bonneville Power Administration.

8. The proposed use will conflict with the local public interests as defined in Idaho Code §42-203A and §42-203C.

PROTEST - 4

MICROFILMED

JUL 15 2004

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PROTEST - 4

MICROFILMED

JUL 15 2004

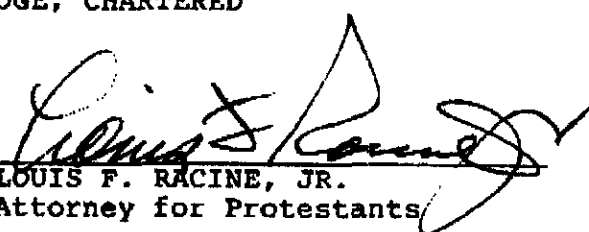
9. Formation Spring is not a tributary to the Bear River as stated in the Application and to the contrary, is absorbed into the ground in an area known as "The Formation Sinks", located in the east half of the southwest quarter of Section 28, Township 8 South, Range 42 E.B.M., Caribou County.

10. The proposed use will eliminate, diminish, and/or interfere with existing ponds, swamps, and streams which provide valuable habitat for ducks, geese, sandhill cranes, owls, eagles, hawks, deer, moose, and other birds, animals, as well as insects and aquatic life; and further, will diminish and/or destroy the natural beauty and esthetic values of the area all to the harm and detriment of the Protestants and the public in general.

WHEREFORE, Protestants request that a hearing be scheduled on this protest as required in Title 42, Chapter 2, Idaho Code, and that the Application be denied.

DATED this 20th day of March, 1986.

RACINE, OLSON, NYE, COOPER &
BUDGE, CHARTERED

By 
LOUIS F. RACINE, JR.
Attorney for Protestants

PROTEST - 5

MICROFILMED

JUL 15 2004

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 20th day of March, 1986,
I mailed a true and complete copy of the foregoing document,
postage prepaid, to the following:

Ken Dunn, Director
Idaho Department of Water Resources
150 Shoup Avenue, Suite 15
Idaho Falls, Idaho 83402

City of Soda Springs
c/o Attorney Clyde G. Nelson
P.O. Box 797
Soda Springs, Idaho 83276


LOUIS F. RACINE, JR.

PROTEST - 6

MICROFILMED

MAR 15 2004

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF CARIBOU.

Daniel J. Lau, Joseph E. Lau,
Louise Horsley and Daniel Cross,

Plaintiffs.)

VS

DECREE.

Chris Panting, Adelbert Panting,
Lina Panting, and Henry L. Finch,

Defendants.

THIS CAUSE Came on Regularly for trial the Fifth day of November, 1919, upon the amended complaint of Daniel J. Lau, Joseph E. Lau, Louise Horsley and Daniel Cross; the answer and cross complaints of Chris Panting, Adelbert Panting and Lina Panting and the answer and cross complaint of Henry L. Finch; Budge & Merrill of Pocatello, Idaho, appearing as attorneys for the Plaintiffs; J. M. Stevens, Esquire, appearing for the Pantings and N. E. Snell, Esquire, appearing for the defendant, H. L. Finch; and it appearing to the court that the respective rights of all the parties to the waters of Formation Spring and Creek, the water course mentioned and described in the pleadings herein, have been agreed upon and stipulated in open court and the parties having also stipulated all facts necessary as a basis for the complete determination and adjudication of the claims of all said parties to the said waters, and Findings of Fact and Conclusions of Law having been expressly waived and the Court being fully advised in the premises,

It is ordered, adjudged, and decreed that the said several parties are and shall be entitled to receive of the waters of said Formation Spring and Creek which rises in the NW $\frac{1}{4}$ -SW $\frac{1}{4}$ of Section 27 and the NE $\frac{1}{4}$ -SE $\frac{1}{4}$ of Section 28, Township 8 South, Range 42 East, 3. M., in Idaho for the irrigation of the lands hereinafter described, the quantity of water set opposite their respective names with priority dating from the dates stated as follows, to-wit:

991 CHRIS PANTING, 7 $\frac{1}{2}$ second feet (375 miner's inches), from May 1, 1887, for the irrigation of the;

NW $\frac{1}{4}$, and the SE $\frac{1}{4}$ -NE $\frac{1}{4}$, the NE $\frac{1}{4}$ -SE $\frac{1}{4}$, W $\frac{1}{2}$ -SE $\frac{1}{4}$ of Section 28, and the SE $\frac{1}{4}$ -NE $\frac{1}{4}$, and the NE $\frac{1}{4}$ -SE $\frac{1}{4}$ of Section 29, all in Township 8 South, Range 42 East, 3. M., in Idaho.

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JUL 15 2004

11 992 ADELBERT PANTING, 3 second feet (150 miner's inches), from May 1, 1887, for the irrigation of the;

W $\frac{1}{2}$ -NE $\frac{1}{4}$ of Section 28, and the SE $\frac{1}{4}$ of Section 21, Township 8 South, Range 42 East, B. M., in Idaho;

11 993 LINA PANTING, $\frac{1}{2}$ second foot (25 miner's inches), from May 1, 1887, for the irrigation of the;

SE $\frac{1}{4}$ -NE $\frac{1}{4}$ of Section 29, in Township 8 South, Range 42 East, B. M. in Idaho;

The water hereinbefore decreed to Chris Panting, Adelbert Panting, and Lina Panting to be diverted from the said Formation Spring and Creek within the NE $\frac{1}{4}$ -SE $\frac{1}{4}$ of Section 28 and at a point at or near the boundary line between the NE $\frac{1}{4}$ -SE $\frac{1}{4}$ of Section 28, and the NW $\frac{1}{4}$ -SW $\frac{1}{4}$ of Section 27, Township 8 South, Range 42 East, B. M.

HENRY L. FINCH, 5 $\frac{1}{2}$ second feet (275 miner's inches), from May 1, 1889, for the irrigation of the;

W $\frac{1}{2}$ -SW $\frac{1}{4}$, and the SW $\frac{1}{4}$ -NW $\frac{1}{4}$, and Lot 4 of Section 5, Township 9 South, Range 42 East, B. M., in Idaho;

The said water to be diverted from the channel of Formation Springs Creek at a point in the NE $\frac{1}{4}$ -SW $\frac{1}{4}$ of Section 28, Township 8 South, Range 42 East, B. M. in Idaho.

DANIEL J. LAU, 6.9 second feet (345 miner's inches), as of May 1, 1895, for the irrigation of the;

E $\frac{1}{2}$ -SW $\frac{1}{4}$ and Lots 3 and 4, and the W $\frac{1}{2}$ -SW $\frac{1}{4}$ -SE $\frac{1}{4}$ of Section 18, and the NW $\frac{1}{4}$ -NE $\frac{1}{4}$, and Lot 1 of Section 19, all in Township 8 South, Range 42 East, B. M., in Idaho.

X JOSEPH E. LAU, 4.7 second feet (235 miner's inches), as of May 1, 1895, for the irrigation of the;

SE $\frac{1}{4}$ NW $\frac{1}{4}$, the E $\frac{1}{2}$ SE $\frac{1}{4}$, and the E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ all in Section 18, Township 8 South, Range 42 East, B. M., in Idaho.

LOUISE HORSLEY, 1.4 second feet (70 miner's inches), as of May 1, 1895, for the irrigation of the;

W $\frac{1}{2}$ SE $\frac{1}{4}$, the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13, the N $\frac{1}{2}$ NE $\frac{1}{4}$, the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 24, Township 8 South, Range 41 East, B. M., in Idaho.

DANIEL CROSS, .5 of a second foot (25 miner's inches), as of May 1st, 1913, for the irrigation of the;

W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 29, Township 8 South, Range 42 East, B. M. in Idaho;

The water hereinbefore decreed to the said Daniel J. Lau, Joseph E. Lau, Louise Horsley and Daniel Cross to be diverted from Formation Springs Creek at or near the boundary between the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 28, and the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27, Township 8 South, Range 42 East, B. M., in Idaho.

It is further ordered, adjudged and decreed that the rights of each of said parties, as above specified, be and it is hereby quieted and established as against any claims of any of the other parties and each of said parties is hereby permanently restrained

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JUL 15 2004

and adjoined from in any manner interfering with the full and complete exercise and enjoyment of the said right so decreed to the other parties and each of them herein named.

It is further ordered, adjudged and decreed that the said Daniel J. Lau, Joseph E. Lau, Louise Horsley and Daniel Cross shall at their own cost cause to be constructed and installed at the in-take of the ditch now used by them (the in-take being the point of diversion hereinbefore described) a permanent measuring device for the measurement of the water decreed to them and such of the waters of said creek as the defendants, the Pantings, divert for their use through said ditch and that the said named parties shall maintain the said measuring devices and keep the same in repair.

It is further ordered, adjudged and decreed that the said Chris Panting, Adelbert Panting and Lina Panting shall at their own cost construct and install at their points of diversion along the ditch jointly used by the plaintiffs and themselves permanent measuring devices and keep the same in repair so that any person interested may determine the total quantity of water being diverted by them from said ditch.

It is further ordered, adjudged, and decreed that the said Pantings at any and all other points on said Spring or along the channel of said Formation Spring Creek where they divert any of the waters herein decreed to them shall likewise at their own cost install and maintain permanent measuring devices which shall accurately measure the quantity of water being diverted by them from said Spring or Creek and that said Henry L. Finch shall at his own cost install and maintain at his point of diversion a suitable and permanent measuring device.

It is further ordered, adjudged, and decreed that the said several parties are and each of them is permanently enjoined and restrained from diverting the waters decreed to them as aforesaid except through the measuring devices herein required to be constantly and installed.

It is further ordered and adjudged and decreed that the plaintiffs and the said Henry L. Finch be and they are hereby granted the right of ingress and egress to and from their respective points of diversion and the further right to maintain and care for their diverting works and ditches whereby water is conveyed to their said lands hereinbefore described.

It is further ordered and adjudged and decreed that each party pay his own costs herein.

Dated this Sixth day of November, A. D. 1919.

B. S. Varian

DISTRICT JUDGE.

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MAY 14 1966 JUL 15 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 18, 2004

ESTATE OF DOUGLAS JACK CHRISTENSEN
12807 S NATALIE DR
RIVERTON UT 84065

RE: Change of Ownership for Water Right 11-992

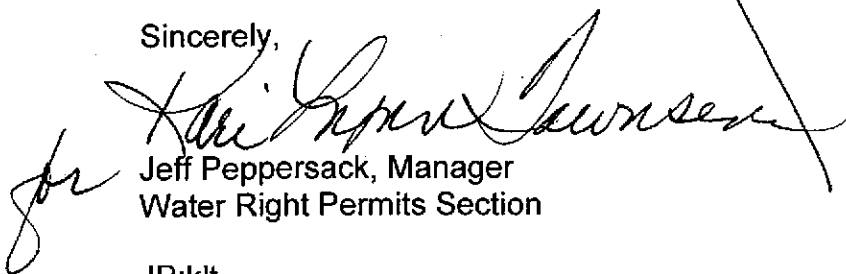
Dear Water Right Holder(s):

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 this office if you have any questions regarding this matter.

Sincerely,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

cc: KASEY MACK CHRISTENSEN

MICROFILMED

JUN 25 2004

MEMORANDUM

DATE: June 18, 2004
FROM: KARI LYNN TOWNSEND
TO: FILE 11-992
RE: Telephone conversation

=====

Kasey Mack Christensen phoned today to acknowledge my message that the ownership change could be processed now.

He ultimately wants to move the ownership to himself and his wife, Renee, but asked that we process it ASAP in the name of "Estate of Douglas Jack Christensen (current owner) with Kasey Mack Christensen (personal representative).

The current mailing address for Kasey is:

12807 S NATALIE DR
RIVERTON UT 84065

Kasey is employed by the corporate offices of *Artic Circle* (phone # 801-561-3620) in Salt Lake City, UT.

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JUL 15 2004

MEMORANDUM

DATE: June 16, 2004
FROM: KARI LYNN TOWNSEND
TO: JEFF PEPPERSACK regarding FILE 11-992
RE: Phone conversation w/Kasey Christensen (801-561-3620)

=====

You may remember Kasey Christensen's visit to your office last year (perhaps not). He came to get information so that he could submit an ownership change for 2 water rights that had very old decrees.

Water right 11-991B has been processed with no problem but there has been some difficulty in getting proof of ownership on the lands connected with 11-992. Kasey called today to see what the status of this o/c is and I told him that we still didn't have anything showing his ownership of all lands for this right. The part he doesn't show ownership of is the E1/2 SE in S21.

Kasey had submitted a copy of a Protest entered by Louis Racine, Jr. on behalf of his clients in March 1986. According to Kasey, page 2, item 2, section b of the protest suggests that Jack Christensen owned all the water rights previously belonging to Edelbert Panting. The water rights are not specified by number. In addition, there is a copy of an Earnest Money Agreement which lists "water rights to city spring, (150")", etc. that he hopes may help to confirm his right to this water.

Since the balance of lands of the original water right not currently owned by Kasey have been dry-farmed for a number of years, Kasey feels that he should be able to obtain all the water defined by the water right. He is wondering if filing a transfer on this water right might be a way to achieve his goal and asked that you call him regarding this.

proof ok on 992

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JUL 15 2004

name

*Estate of Douglas Jack Christensen
(current owner)
Kasey Mack Christensen
(representative)*



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 5, 2003

KASEY CHRISTENSEN
12807 S NATALIE DR
RIVERTON UT 84065

RE: Change of Ownership for Decreed Water Rights 11-991B and 11-992

Dear Mr. Christensen:

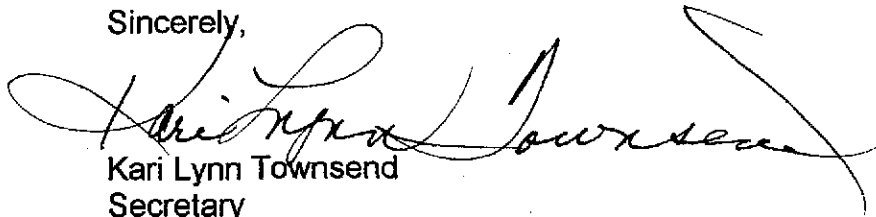
After our telephone conversation today I reviewed your water right ownership change request with Sharla Curtis. In addition to needing a signature on the request form at line 7 we discovered other issues that need to be addressed.

As Sharla explained, in a second phone call, we maintain our records based on proof of land ownership; in this case, the tax notices all show Douglas Jack Christensen. Therefore, we would typically put the water right records in his name. Since he is deceased, we will use the executor of his estate as the owner. Once we receive the document showing that you were appointed as the executor, we will update our computer records to reflect that you are the current owner.

A new ownership change form that is partially filled out is enclosed for your convenience. Also enclosed is a claim form with instruction booklet that can be filled out for water right 25-2053. Please send the claim form to the Eastern Region office in Idaho Falls for processing. I have also enclosed miscellaneous paperwork that you may want to retain for your files.

If you have any questions regarding this matter, please call me at 208-327-7941.

Sincerely,



Kari Lynn Townsend
Secretary

KLT:k

Enclosures

MICROFILMED

JUN 15 2004