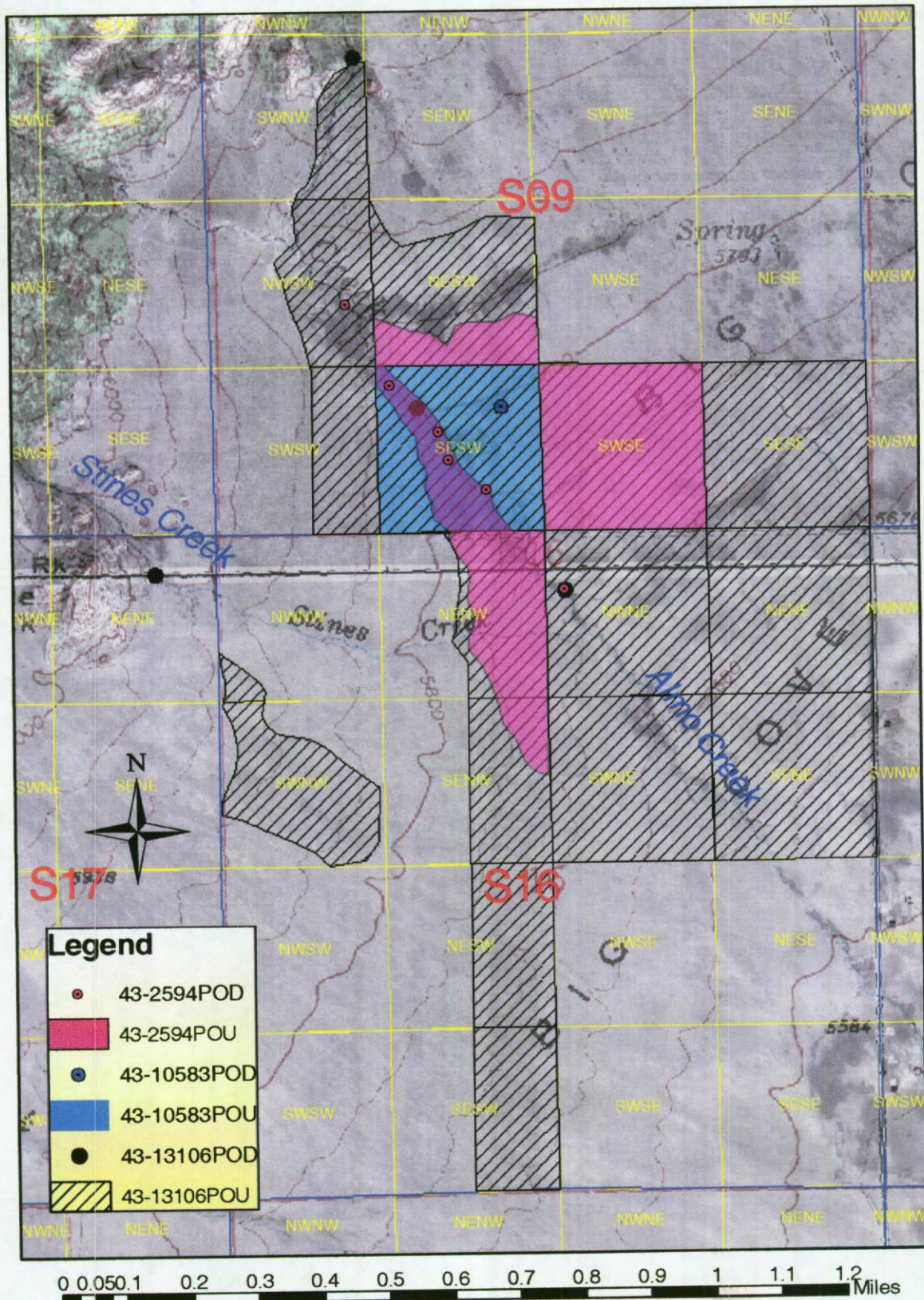


T15S, R24E

IDAHO DEPARTMENT OF PARKS AND RECREATION



Map prepared
by RDH 12-22-04

RIGHTS: 43-2594, 43-10583 & 43-13106

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

RECEIVED
JAN 10 2005
DEPARTMENT OF
WATER RESOURCES

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, 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
43-2594	_____	_____	_____	_____	_____
43-10583	_____	_____	_____	_____	_____
43-13106	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are 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) USA NATIONAL PARK SERVICE
C/O IDAHO DEPT OF PARKS & RECREATION
CITY OF ROCKS SUPERINTENDENT
PO BOX 169
ALMO ID 83312
4. New Owner/Claimant(s)
 New Mailing Address STATE OF IDAHO
DEPT OF PARKS & RECREATION
STATEHOUSE MAIL
PO BOX 83720
 City, State and ZIP Code BOISE ID 83720-0065

SUPPORT DATA

New Telephone Number (208) 334-4199

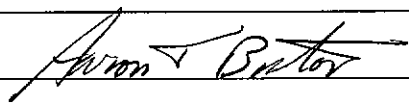
IN FILE # 43-2594

5. Date you acquired the property October 6, 2004

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) AARON T. BOSTON, P.E., IDPR DEVELOPMENT ENGINEER

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 <u></u>	Date <u>1-10-05</u>	Fee <u>\$75.00/KX</u>
Receipted by <u></u>	Date <u>1-10-05</u>	Receipt No. <u>C076245</u>
Processed by _____ AJ	Date _____	WR _____ Date _____

Form No. 1402.92
(10/17/92)
ALTA Owner's Policy



POLICY OF TITLE INSURANCE



Land Title & Escrow, Incorporated
P.O. Box 177
211 West 13th Street
Burley, ID 83318
(208) 878-3524
Fax: (208) 878-4435

A Policy-Issuing Agent of First American Title Insurance Company

First American Title Insurance Company

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, FIRST AMERICAN TITLE INSURANCE COMPANY, a California corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title;
4. Lack of a right of access to and from the land.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.

First American Title Insurance Company

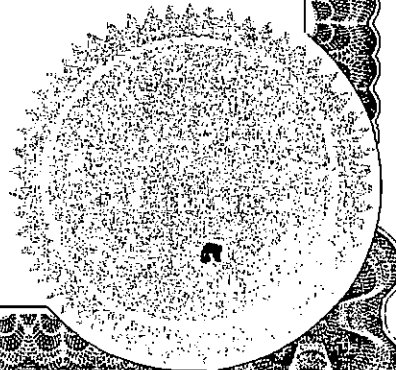
BY

PRESIDENT

ATTEST

SECRETARY

J 1932323



FIRST AMERICAN TITLE INSURANCE COMPANY

STANDARD OWNERS POLICY

SCHEDULE A

FILE NO.	POLICY NO.	DATE OF POLICY	AMOUNT	PREMIUM
37404	J 1932323 Form No. 1402.92 (10/17/92)	October 6, 2004 at 3:57 P.M.	\$680,000.00	\$2,060.00

1. Name of Insured:

STATE OF IDAHO PARKS AND RECREATION BOARD

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

FEE SIMPLE

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

STATE OF IDAHO PARKS AND RECREATION BOARD

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

**TOWNSHIP 15 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 8: SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$

Section 9: SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 16: NE $\frac{1}{4}$, W $\frac{1}{2}$

Section 17: NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$

LAND TITLE AND ESCROW, INC.

Countersigned:
Agent

This Policy is valid only if Schedule B is attached.

STANDARD OWNERS POLICY

SCHEDULE B

EXCEPTIONS FROM COVERAGE

Policy Number: J 1932323

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

SECTION I

1. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
2. Easements, claims of easement or encumbrances which are not shown by the public records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose, and which are not shown by the public records.
4. Any lien or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.

SECTION II

6. Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, Seller and Robert Harmash and Lanette Harmash, Consumer, dated September 15, 1997 and recorded September 29, 1997 as Instrument No. 251391 on Film No. 291, records of Cassia County, Idaho. (Affects the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, Township 15 South, Range 24 East of the Boise Meridian.)
7. Covenant contained in Quitclaim Deed executed by United States of America to State of Idaho Parks and Recreation Board dated October 5, 2004 and recorded October 6, 2004 as Instrument No. 298356, records of Cassia County, Idaho, which reads: "The State of Idaho is to continue to protect this property and its resources in accordance with State Historic Preservation Office's (SHPO) procedures and in accordance with the 1906 Historic Preservation Act."

END OF SCHEDULE B

Schedule B (Owners Policy)

COPY

TF 35020

After Recording, Return to
United States Department of the Interior
National Park Service, Columbia Cascades Land Resources Program Center
909 First Avenue, 5th Floor
Seattle, Washington 98104-1060

Twin Falls County, Idaho
Recorded for:
FIRST AMERICAN TITLE CO.
04:00pm Oct. 06, 2004
2004 - 021856

No. of Pages: 2 Fee: \$6.00
KRISTINA GLASCOCK
County Clerk
Deputy: KM

QUITCLAIM DEED

Grantor: State of Idaho Parks and Recreation Board

Grantee: United States of America

Tax Parcel No.: RP 07S13E160010A

The Grantor, STATE OF IDAHO PARKS AND RECREATION BOARD, formally known as the Park Board of the State of Idaho, and in consideration of the exchange of certain land and interest, receipt of which is hereby acknowledged, does hereby convey and quitclaim to the UNITED STATES OF AMERICA, all of the Grantor's rights, title and interest in the following described real property located in Twin Falls County, State of Idaho, together with all after acquired title of the grantor therein:

Government Lots 1, 2, 4 and 5, the West Half (W $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$), the Northwest Quarter (NW $\frac{1}{4}$), the West Half (W $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$), and the Northeast Quarter (NE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$), all in Section 16, Township 7 South, Range 13 East of the Boise Meridian, Twin Falls County, Idaho.

The land hereinabove described contains 492.87 acres, more or less.

The land is conveyed subject to existing easements of record for public roads and highways, public utilities, railroads and pipelines AND SUBJECT TO an Easement granted to Idaho Power Company, recorded February 4, 1948, as Instrument No. 378504; an Easement granted to Idaho Power Company, recorded March 24, 1970, as Instrument No. 607231; an Easement granted to Idaho Power Company, recorded May 7, 1971, as Instrument No. 619673; an Easement granted to Idaho Power Company, recorded June 17, 1971, as Instrument No. 621194; an Easement granted to Idaho Power Company, recorded November 20, 1975, as Instrument No. 688204; the State of Idaho through the State Board of Land Commissioners granted an Easement to Bell Rapids Mutual Irrigation Company, Easement No. 4126 dated May 21, 1970, and any Bell Rapids Mutual Irrigation Company's levies and assessments; the State of Idaho through the State Board of Land Commissioners granted an Easement to Mountain States Telephone Company, Easement No. 4389-B dated October 19, 1973; and the State of Idaho through the State Board of Land Commissioners granted an Easement to Idaho Power Company, Easement No. 4554 dated October 29, 1975.

Horse Quarry
HAFO Disposal Tract No. 101-03

This Quitclaim Deed is being executed and delivered to the Grantee as authorized in the Idaho Code Sections 67-4233(b)(f) and 67-4224 and pursuant to the Act of November 1, 2002, Public Law 106-421 (114 Stat. 1870).

IN WITNESS WHEREOF, the said Grantor has hereunto set his hands this
23 day of September, 2004.

STATE OF IDAHO

By: Bob Meinen

Bob Meinen, Director

Department of Parks and Recreation

ACKNOWLEDGMENT

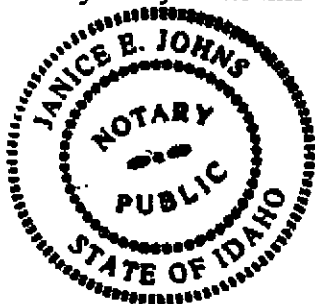
STATE OF Idaho

COUNTY OF Ada

THIS IS TO CERTIFY that on this 23 day of September, 2004, before the undersigned, a Notary Public in and for said County and State, duly commissioned and sworn, personally appeared ~~DEAN SANGREY, Interim Director,~~ State of Idaho Department of Parks and Recreation, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same on behalf of the State of Idaho Department of Parks and Recreation.

***ROBERT L. MEINEN, DIRECTOR**

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



Janice E. Johns
Notary Public in and for said County and State

My Commission Expires 7/27/2010

Horse Quarry
HAFO Disposal Tract No. 101-03

Idaho Department of Parks and Recreation
P.O. Box 83720
Boise, Idaho 83720-0010

LANDOWNER'S CERTIFICATE

Re: CIRO Tract No. 103-02 (Castle Rock Ranch Property)

In selling the United States of America's (USA) property near City of Rocks National Reserve, the USA represent that:

1. Within the past 90 days there has not been any work or labor performed or materials furnished on or about the USA's property which will entitle any person to a mechanic's lien;
2. There is not any person claiming a right of possession or other interest in the USA's property which is adverse to our rights or the rights of the State of Idaho;
3. To the best of the USA's knowledge or belief, there are not any outstanding unrecorded deeds, deeds of trust, mortgages, leases, contracts, or documents which adversely affect the title of the USA's property;
4. To the USA's knowledge, there are not any rights, titles, interests, liens, or estates existing or being asserted in or to the USA's property except as are disclosed and recorded in any official records;
5. To the best of the USA's knowledge, no chemical contaminants or hazardous substances except as identified in the Pre-Acquisition Environmental Assessment report prepared by Tetra Tech, Inc. dated April 2003.

Sincerely,

UNITED STATES OF AMERICA

Date: 9/20/2004

By: 

Its Regional Director,
National Park Service, Pacific West Region

THE FIRST AMERICAN CORPORATION

LAND TITLE AND ESCROW, INC.

Privacy Policy

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information - particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our underwriter, The First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines, and we have adopted these guidelines that govern our use of personal information regardless of its source. These guidelines are called *Fair Information Values*, a copy of which can be found on First American's website at www.firstam.com.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;

Information about your transactions with us, our affiliated companies, or others; and

Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and the *Fair Information Values*. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

**LETTER OF CLOSING INSTRUCTIONS
TO**

**Land Title & Escrow, Inc.
Post Office Box 177
211 West 13th St.
Burley, Idaho 83318**

Your Policy No.: 37404

DATE: October 5, 2004

We, the undersigned, hereby instruct Land Title & Escrow, Inc., Company, (hereafter "Closing Agent"), when in receipt of all documents as set out herein, to close this transaction according to the following instructions and information:

1. PROPERTY AND PARTIES:

PROPERTY: CASTLE ROCKS RANCH

BUYER: STATE OF IDAHO DEPARTMENT OF PARKS &
RECREATION BOARD ("BOARD")

SELLER: UNITED STATES DEPARTMENT OF THE INTERIOR
("USDI")

2. TERMS: EXCHANGE OF HOUSE QUARRY PROPERTY

3. CLOSING DATE: October 6, 2004. The closing agent is instructed to pro-rate all items to be pro-rated as of the above date with USDI being responsible for all such items up to but not including the date of pro-ration and the Board being responsible for such items from and including the date of pro-ration.

4. CLOSING DOCUMENTS: The following fully executed documents are enclosed with these instructions:

- a) Quit Claim Deed (Castle Rocks Ranch)
- b) Land Owners Certificate
- c) Exchange Agreement

5. COSTS AND DISBURSEMENTS:

Closing costs and title policy cost will be paid by USDI.

6. TITLE INSURANCE: ALTA Standard Coverage Owners Policy

Insurer: First American Title
Order No.: 37404
Amount: \$680,000.00

When the closing agent has received all properly executed documents and all funds necessary for the completion of this transaction, and the title insurer is in a position to issue the type of policy set out above, in favor of the Board, for the real property identified in Exhibit A hereto and by this reference incorporated herein, subject only to exception Nos. 2-5 & 7 of Schedule B, Section II, as set out in First American Title Commitment for Title Insurance dated May 20, 2003, the closing agent is hereby authorized and instructed to record or file all necessary documents and disburse funds deposited in accordance with the amounts shown on the closing statement.

7. **CLOSING AGREEMENT:** The parties have entered into an Exchange Agreement dated August 21, 2003. The closing agent is hereby instructed to close the transaction in accordance with the terms of the Contract as well as these instructions, HOWEVER, in the event the terms of the contract and the terms of these instructions shall conflict, the terms of these instructions shall control.

The closing agent is directed to comply with the instructions contained in this Letter of Closing Instructions and the parties hereto agree to indemnify and hold harmless the closing agent from any and all actions or losses related hereto other than failure to comply herewith, including but not limited to any attorney's fees or costs incurred by the closing agent in defending itself in any such action.

Buyer:

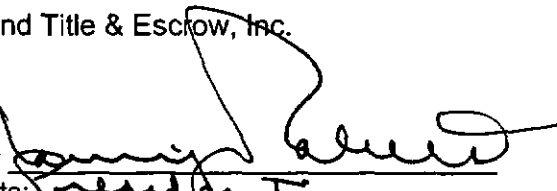
State of Idaho Department of Parks & Recreation
Board



By: Bob Meinen
Its: Director

Agreed and accepted this 6th day of October 2004.

Land Title & Escrow, Inc.

By 
Its: President

CC: Rick Wagner
Garth Taylor
Wallace Keck

EXHIBIT A

Legal Description

Parcel 1

Section 8	Southeast Quarter of the Northeast Quarter (SE1/4 NE1/4), East Half of the Southeast Quarter (E1/2 SE1/4), Southwest Quarter of the Southeast Quarter (SW1/4 SE1/4), East Half of the Southwest Quarter (E1/2 SW1/4)
Section 9	Southwest Quarter of the Northwest quarter (SW1/4 NW1/4), Southwest Quarter (SW1/4), West Half of the Southeast Quarter (W1/2 SE1/4), Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4)
Section 16	Northeast Quarter (NE1/4) West Half (W1/2)
Section 17	Northeast Quarter of the Northeast Quarter (NE1/4 NE1/4), West Half of the Northeast Quarter (W1/2 NE1/4) East Half of the Northwest Quarter (E1/2 NW1/4)

All in Township 15 South, Range 24 East, Boise Meridian, Cassia County, State of Idaho.

298356

After Recording, Pls. Return To:
Idaho Department of Parks and Recreation
P.O. Box 83720
Boise, Idaho 83720-0010

QUITCLAIM DEED

Grantor: United States of America
Grantee: State of Idaho Parks and Recreation Board
Tax Parcel No. RP 15S24E093600A

RECORDED AT THE REQUEST OF
LAND TITLE & ESGROW

2001 OCT 6 PM 3 57

FEE RECORDER
DEPUTY *Me*

CASSIA COUNTY, IDAHO
LARRY A. MICKELSEN

298356

The Grantor, UNITED STATES OF AMERICA, and in consideration of the exchange of certain land and interest, receipt of which is hereby acknowledged, does hereby convey and quitclaim to the STATE OF IDAHO PARKS AND RECREATION BOARD all of the Grantor's rights, title and interest in the following described real property located in Cassia County, State of Idaho, together with all after acquired title of the grantor therein:

Section 8: Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$),
East Half of the Southeast Quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$),
Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$),
East Half of the Southwest Quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$)

Section 9: Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$),
Southwest Quarter (SW $\frac{1}{4}$),
West Half of the Southeast Quarter (W $\frac{1}{2}$ SE $\frac{1}{4}$),
Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$)

Section 16: Northeast Quarter (NE $\frac{1}{4}$),
West Half (W $\frac{1}{2}$)

Section 17: Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$),
West Half of the Northeast Quarter (W $\frac{1}{2}$ NE $\frac{1}{4}$),
East Half of the Northwest Quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$)

All in Township 15 South, Range 24 East, Boise Meridian, Cassia County, State of Idaho.

Castle Rock Ranch
CIRO Disposal Tract No. 103-02

TOGETHER WITH any and all the Grantor's rights, title and interest in and to any and all water rights appurtenant to or associated with the Property which include, but are not limited to, the water rights (the "Water Rights") conveyed to Grantor in that certain General Warranty Deed dated January 15, 1999, and recorded in Cassia County, Idaho, Recorder's Office as file no. 261463 and specifically described as:

- 1) Almo Creek, priority date of April 15, 1879 (decree date 10-18-1928). ID# A43-00373, for 3.7 CFS from 3-5 to 11-15, or a total consumptive use of 1,380 acre feet per annum.
- 2) ID #A43-00389, for 2.0 CFS from 3-15 to 11-15, or a total consumptive use of 1,380 acre feet per annum, April 30, 1879 (decree date 10-18-1928).
- 3) ID #A43-00477A for 1.5 CFS from 3-15 to 11-15, or a total consumptive use of 1,380 acre feet per annum, July 31, 1882 (decree date 10-18-1928).
- 4) ID #A43-02594, for 1.640 CFS from 3-15 to 11-15, or a total consumptive use of 205 acre feet per annum, May 29, 1967 (Basis of claim - License).
- 5) Out of Almo & Stines Creek - ID #A43-02586, for 2.82 CFS from 11-1 to 4-1, Priority date is January 13, 1958 (Basis of Claim).
- 6) ID #A43-10583, for 0.040 CFS from 1-1 to 12-31, May 1, 1969.

The land hereinabove described contains 1,240.00 acres, more or less.

The land is conveyed subject to existing easements of record for public roads and highways, public utilities, railroads and pipelines AND SUBJECT TO an agreement for Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho Rural Electric Cooperative of Malta, Seller and Robert Harmash and Lanette Harmash, Consumer, dated September 15, 1997, and recorded September 29, 1997, as Instrument No. 251391 on Film No. 291, records of Cassia County, Idaho (affects the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of Section 9, Township 15 South, Range 24 East of the Boise Meridian). The State of Idaho is to continue to protect this property and its resources in accordance with State Historic Preservation Office's (SHPO) procedures and in accordance with the 1906 Historic Preservation Act.

The quitclaim of water rights enumerated above is subject to the following:

- 1) ID# A43-00373 and ID# A43-00389: In the Snake River Basin Adjudication, Case No. 39576, because the land to which these claims are appurtenant is located within the boundaries of the Almo Water Co., these claims were disallowed and included as a portion of the Almo Water Co. claim A43-10823. In a partial decree dated June 28, 2002 of the Snake River Basin Adjudication, Water Right No. A43-10823 was decreed to Almo Water Co. Shares in Almo Water Co. held by the United States of America as a result of the partial decree of claims A43-00373, A43-00389, and A43-10823, if any, are quitclaimed to the State of Idaho Parks and Recreation Board by this Quitclaim Deed.
- 2) ID# A43-477A: In the Snake River Basin Adjudication, Case No. 39576, because the land to which this claim is appurtenant is located within the boundaries of the Almo Water Co., this claim was disallowed and included as a portion of the Almo Water Co. claim A43-10797. In a partial decree dated June 28, 2002, Water Right No. A43-10797 was decreed to Almo Water Co. Shares in Almo Water Co. held by the United States of America as a result of the partial decree of claim A43-477A and A43-10797, if any, are quitclaimed to the State of Idaho Parks and Recreation Board by this Quitclaim Deed.
- 3) ID# A43-2586: In the Snake River Basin Adjudication, Case No. 39576, this claim A43-2586 was divided into two Water Rights—Nos. A43-13106 and A43-13107. This division was done to reflect that the land to which A43-2586 was appurtenant was divided into two different parcels held by two different parties. In partial decrees dated June 28, 2002, Water Right A43-13106 was decreed to U.S.A.-National Park Service, and Water Right A43-13107 was decreed to Patricia and Cordell Sheridan. The Water Right quitclaimed by this Quitclaim Deed is limited to Water Right No. A43-13106 only.

This Quitclaim Deed is being executed and delivered to the Grantee pursuant to the Act of November 1, 2002, Public Law 106-421 (114 Stat. 1870) and as authorized by the State of Idaho in the Idaho Code Sections 67-4233(b)(f) and 67-4224.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hands this
5th day of October, 2004.

UNITED STATES OF AMERICA

By: Jonathan B. Jarvis
Jonathan B. Jarvis, Regional Director
National Park Service, Pacific West Region

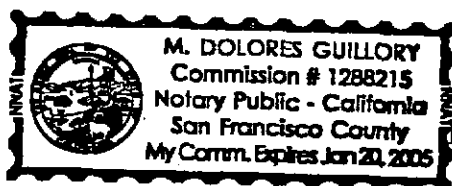
ACKNOWLEDGMENT

STATE OF California
COUNTY OF Alameda

THIS IS TO CERTIFY that on this 5 day of October, 2004,
before the undersigned, a Notary Public in and for said County and State, duly
commissioned and sworn, personally appeared JONATHAN B. JARVIS, Regional
Director, Pacific West Region of the National Park Service, known to me to be the person
whose name is subscribed to the within instrument, and acknowledged to me that he
executed the same on behalf of the UNITED STATES OF AMERICA, Department of the
Interior, National Park Service.

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

M. Dolores Guillory
Notary Public in and for said County and State



My Commission Expires 01/20/05

Castle Rock Ranch
CIRO Disposal Tract No. 103-02



United States Department of the Interior

OFFICE OF THE SOLICITOR

Pacific Northwest Region
500 N.E. Multnomah Street, Suite 607
Portland, Oregon 97232

IN REPLY REFER TO:

AUG 7 2002

Refer to: T-01-003

Memorandum

To: Regional Director, Pacific West Region,
National Park Service
Attention: Chief, Columbia Cascades Land Resources
Program Center

From: Office of the Regional Solicitor,
Pacific Northwest Region

Subject: Final Opinion of Title

Re: Tract No. 103-01
County: Cassia State: Idaho
Estate Acquired: Fee Simple
Consideration: \$680,000.00 Acreage: 1,240 acres, m/l
Grantor: The Conservation Fund
Deed Dated: 03/13/2001 Filing Date: 03/15/2000
Auditor's File No. 273963
Title Evidence No. 131236 Date: 01/05/2001
and extended to: 03/15/2001
Prepared by: Land Title & Escrow, Inc.
(agent for First American Title Insurance Co)

An examination has been made of the title data relating to the above tract of land in which interests have been acquired under authority of existing legislation. The land and estate acquired by the United States are more particularly described in the enclosed deed.

The title evidence and accompanying data disclose valid title to be vested in the United States of America subject to the rights and easements noted in Schedule B of the attached title evidence, and any reservation contained in the deed, which rights easements and reservations are in compliance with existing statutes, and are such as your agency has advised will not interfere with the proposed use of the land.

Your file is returned herewith.

NOTIFICATION OF CLOSING

11 FEB 2005

To: Superintendent, City of Rocks National Reserve

From: Chief, Columbia Cascades Land Resources Program Center

Title to the following parcel of land passed to the United States:

a. Tract No.: CIRO Tract No. 103-01

b. Name and Address of Grantors:

The Conservancy FundNorthwest Representative, Mr. Mark ElsbreeP.O. Box 1524Sun Valley, ID 83353

c. Estate Acquired Inside Boundary:

Fee Simple

d. Acreages:

1,240 acres, m/l

e. Date Title Passed:

March 15, 2001

f. Probable Date Grantors to Vacate Premises:

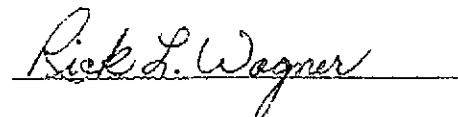
Already vacated

g. Consideration:

\$680,000

Land: \$654,670

(Dwelling, garage, outbuildings, corrals, landscaping, septic: \$25,330 (individual breakouts for the improvements are not available for the subject property))



RICK L. WAGNER

Enclosures:

Copy of the Deed, excerpt copy of appraisal

cc:

OC-P, (Real Property Section), w/encs. (Excerpt copy of appraisal)

OF, Chronister, w/o encs.

Contract No: CX-9035-02-L007



United States Department of the Interior

OFFICE OF THE SOLICITOR

Pacific Northwest Region
500 N.E. Multnomah Street, Suite 607
Portland, Oregon 97232

IN REPLY REFER TO:

AUG 7 2002

Refer to: 7-01-003

Memorandum

To: Regional Director, Pacific West Region,
National Park Service
Attention: Chief, Columbia Cascades Land Resources
Program Center

From: Office of the Regional Solicitor,
Pacific Northwest Region

Subject: Final Opinion of Title

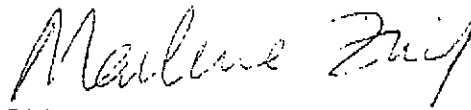
Re: Tract No. 103-01
County: Cassia State: Idaho
Estate Acquired: Fee Simple
Consideration: \$680,000.00 Acreage: 1,240 acres, m/l
Grantor: The Conservation Fund
Deed Dated: 03/13/2001 Filing Date: 03/15/2000
Auditor's File No. 273963
Title Evidence No. 131236 Date: 01/05/2001
and extended to: 03/15/2001
Prepared by: Land Title & Escrow, Inc.
(agent for First American Title Insurance Co)

An examination has been made of the title data relating to the above tract of land in which interests have been acquired under authority of existing legislation. The land and estate acquired by the United States are more particularly described in the enclosed deed.

The title evidence and accompanying data disclose valid title to be vested in the United States of America subject to the rights and easements noted in Schedule B of the attached title evidence, and any reservation contained in the deed, which rights easements and reservations are in compliance with existing statutes, and are such as your agency has advised will not interfere with the proposed use of the land.

Your file is returned herewith.

For the Regional Solicitor



Attorney
Pacific Northwest Region

Enclosures

LIST OF ENCLOSURES

FINAL TITLE OPINION REQUEST

PROJECT: Castle Rock Ranch - CIRO

TRACT NO: 103-01

GRANTOR: The Conservation Fund

- (X) 1. Preliminary Title Opinion
- (X) 2. Preliminary Commitment-Final Policy of Title Insurance
- (X) 3. Elimination of Title Objections Memorandum
- (X) 4. Certificate of Inspection and Possession
- () 5. Administrative Waiver Certificate
- (X) 6. Landowner's Certificate
- () 7. Tenant Disclaimer
- (X) 8. Recorded Deed
- (X) 9. Accepted Purchase Agreement
- (X) 10. Payment and Closing Sheet
- (X) 11. Contaminant Survey Checklist
- () 12. Other Title Curative - Specify
 - a. _____
 - b. _____
 - c. _____
 - d. _____
 - e. _____

AREA: Castle Rock Ranch - CIRO

TRACT NO: 103-01

GRANTOR: The Conservancy Fund

POLICY NO: 131236

ELIMINATION OF TITLE OBJECTIONS

Objections 1 through 3 as set forth in the Preliminary Title Opinion dated February 15, 2001, have been eliminated or met as follows:

1. By Policy of Title Insurance dated March 15, 2001.
2. By Certificate of Inspection and Possession.
3. By Certificate of Inspection and Possession.

The Agreement for Electric Service between Raft River Rural Electric Cooperative, Inc. and Robert and Lanette Harmash in the Exceptions From Coverage, Schedule B, of the Final Policy of Title Insurance dated March 15, 2001, is administratively acceptable.

273960

273960

29966

CASSIA COUNTY, IDAHO
THOMAS M. ROCKWELL
RECORDERFEE 9.00 DEPUTY LM
DATE 3-15-01
TIME 3:51 PM

RECORDED AT THE REQUEST OF

LAND TITLE & ESCROW

AFTER RECORDING, MAIL TO:

National Park Service
Columbia Cascades Land Resources PC
909 First Avenue-5th Floor
Seattle, WA 98104-1060

STATUTORY WARRANTY DEED

The Grantor, THE CONSERVATION FUND, a Maryland non-profit corporation, 1800 North Kent Street, Suite 1120, Arlington, VA 22209, for and in consideration of the sum of SIX HUNDRED EIGHTY THOUSAND AND NO/100 DOLLARS (\$680,000.00), to it paid, receipt of which is hereby acknowledged, does hereby convey and warrant to the UNITED STATES OF AMERICA and its assigns, the following described property located in the County of Cassia, State of Idaho to wit:

- Section 8: Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$),
East Half of the Southeast Quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$),
Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$),
East Half of the Southwest Quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$)
- Section 9: Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$),
Southwest Quarter (SW $\frac{1}{4}$),
West Half of the Southeast Quarter (W $\frac{1}{2}$ SE $\frac{1}{4}$),
Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$)
- Section 16: Northeast Quarter (NE $\frac{1}{4}$),
West Half (W $\frac{1}{2}$)
- Section 17: Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$),
West Half of the Northeast Quarter (W $\frac{1}{2}$ NE $\frac{1}{4}$),
East Half of the Northwest Quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$)

All in Township 15 South, Range 24 East, Boise Meridian, Cassia County, State of Idaho.

Castle Rock Ranch
City of Rocks National Historical Reserve Tract No. 103-01

The land hereinabove described contains 1,240.00 acres, more or less.

The land is conveyed subject to existing easements of record for public roads and highways, public utilities, railroads and pipelines. AND SUBJECT TO Agreement for Electric Service recorded September 29, 1997 as Instrument No. 251391 on Film 291, Cassia County, Idaho, and to the mineral reservation for the benefit of the State of Idaho as evidenced in the deed recorded May 12, 1967 as Instrument No. 34957 on Film 49, Cassia County, Idaho.

TO HAVE AND TO HOLD the above granted and described premises, together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or in any way appertaining, unto said UNITED STATES OF AMERICA and its assigns forever.

The Grantors further remise, release, and forever quitclaim to the UNITED STATES OF AMERICA, and its assigns all right, title and interest which the Grantors may have in the banks, beds and waters of any streams bordering the said land conveyed and also all interest in any alleys, roads, streets, ways, strips, gores or railroad rights-of-way abutting or adjoining said land and in any means of ingress or egress appurtenant thereto; TOGETHER WITH any and all the Grantors' right, title and interest in and to any and all water rights appurtenant to or associated with the Property which include, but are not limited to the water rights (the "Water Rights") conveyed to Grantor in that certain General Warranty Deed dated January 15, 1999, and recorded in Cassia County, Idaho, Recorder's Office as file no. 261463 and specifically described as:

- 1) Almo Creek, priority date of April 15, 1879 (decree date 10-18-1928). ID# A43-00373, for 3.7 CFS from 3-5 to 11-15, or a total consumptive use of 1,380 acre feet per annum.
- 2) ID #A43-00389, for 2.0 CFS from 3-15 to 11-15, or a total consumptive use of 1,380 acre feet per annum, April 30, 1879 (decree date 10-18-1928).
- 3) ID #A43-00477A for 1.5 CFS from 3-15 to 11-15, or a total consumptive use of 1,380 acre feet per annum, July 31, 1882 (decree date 10-18-1928).
- 4) ID #A43-02594, for 1.640 CFS from 3-15 to 11-15, or a total consumptive use of 205 acre feet per annum, May 29, 1967 (Basis of claim - License).
- 5) Out of Almo & Stines Creek - ID #A43-02586, for 2.82 CFS from 11-1 to 4-1, Priority date is January 13, 1958 (Basis of Claim).
- 6) ID #A43-10583, for 0.040 CFS from 1-1 to 12-31, May 1, 1969. \$750.00

Castle Rock Ranch

City of Rocks National Historical Reserve Tract No. 103-01

The land is being acquired by the Department of Interior, National Park Service.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hands this 13th
day of March, 2001.

THE CONSERVATION FUND, a Maryland non-profit
corporation

By: [Signature]

Title: VP

ACKNOWLEDGMENT

Commonwealth of Virginia
County of Arlington ss.

On this 13th day of March, 2001, before me
Carolyn A. Niedzinski, the undersigned Notary Public in and for the state of
Virginia, personally appeared Richard L. Erdmann personally
known to me (or proved to me on the basis of satisfactory evidence) to be the person who
executed the within instrument as Senior Vice President, on behalf of The
Conservation Fund, a Maryland non-profit corporation, the corporation therein named and
acknowledged to me that the corporation executed said instrument as its free and voluntary
act and deed for the purposes therein mentioned, and on oath stated that he was authorized to
so execute said instrument.

[Signature]

Print Name: Carolyn A. Niedzinski

Notary Public in and for the State of Virginia

Residing at Falls Church, VA

My commission expires 3/31/04

Castle Rock Ranch

City of Rocks National Historical Reserve Tract No. 103-01

United States Department of the Interior
National Park Service, Columbia Cascades Land Resources Program Center
909 First Avenue, 5th Floor
Seattle, Washington 98104-1060

LANDOWNER'S CERTIFICATE

Re: Castle Rock Ranch Tract No. 103-01

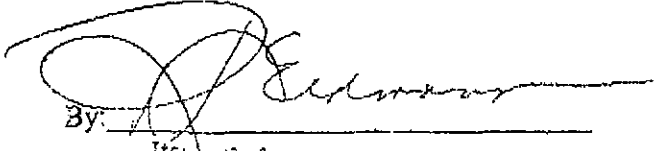
In selling our property, Castle Rock Ranch, near City of Rocks National Historical Reserve, we represent that:

1. To the best of our knowledge, within the past 90 days there has not been any work or labor performed or materials furnished on or about our property which will entitle any person to a mechanic's lien;
2. To the best of our knowledge, there is not any person claiming a right of possession or other interest in our property which is adverse to our rights or the rights of the United States of America;
3. To the best of our knowledge, there are not any outstanding unrecorded deeds, deeds of trust, mortgages, leases, contracts, or documents which adversely affect the title of our property;
4. To the best of our knowledge, there are not any rights, titles, interests, liens, or estates existing or being asserted in or to our property except as are disclosed and recorded in any official records; *without independent investigation or verification*
5. To the best of our knowledge, no chemical contaminants or hazardous substances except as may have been identified in the Pre-Acquisition Environmental Assessment document prepared by Tetra Tech dated January 2001.

Sincerely,

THE CONSERVATION FUND

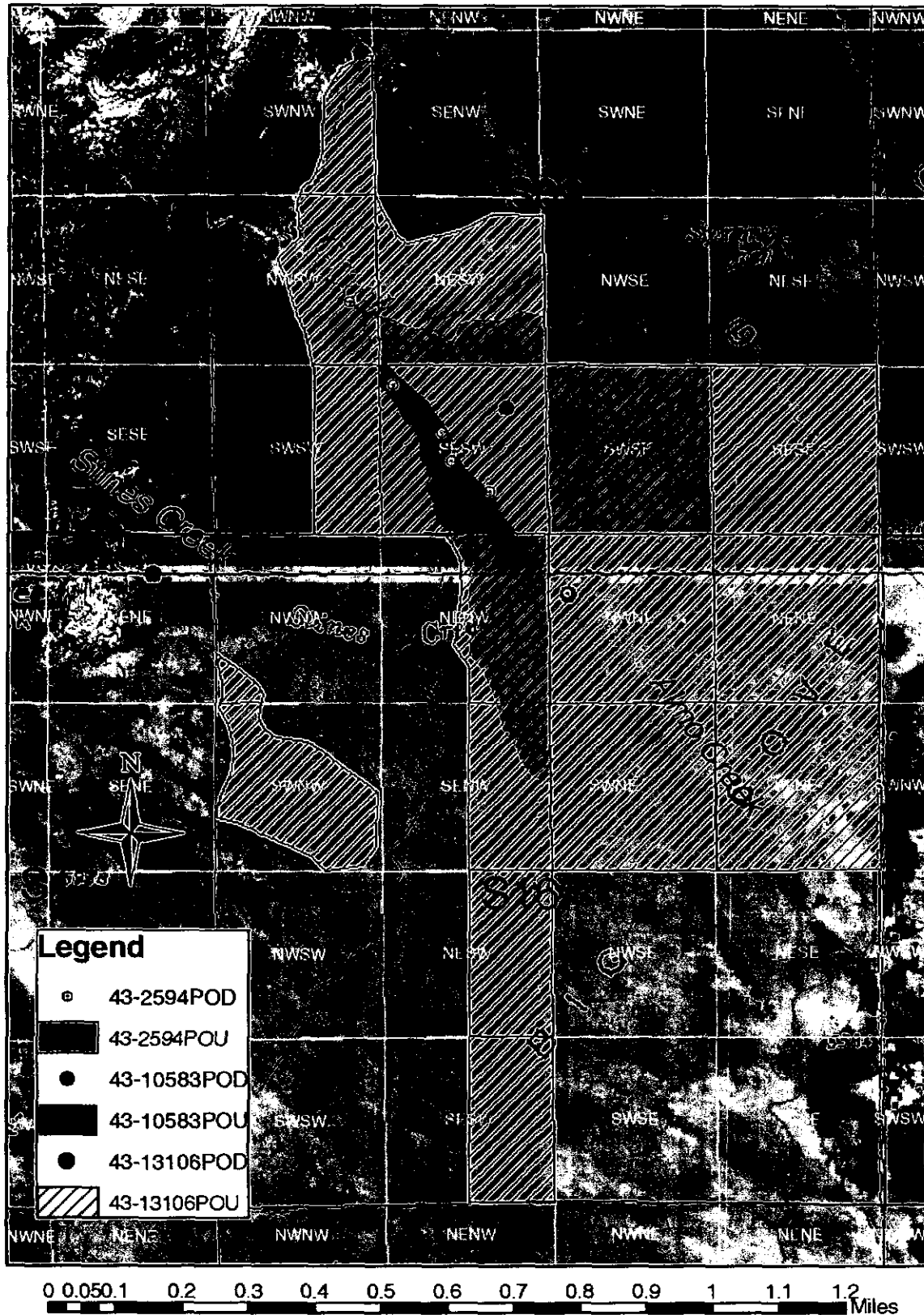
Date: 3/13/01

By: 

Its: J. L. Up

T15S, R24E

IDAHO DEPARTMENT OF PARKS AND RECREATION

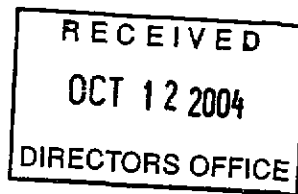
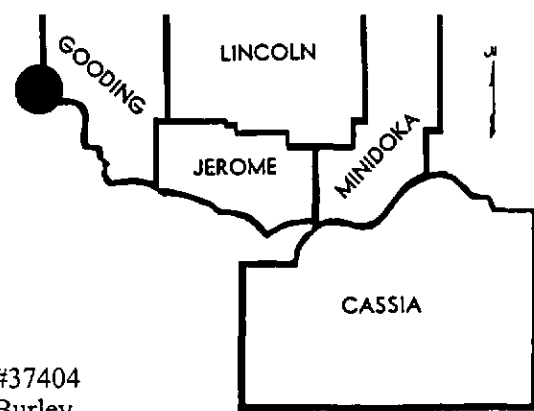


Map prepared
by RDH 12-22-04

RIGHTS: 43-2594, 43-10583 & 43-13106

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: #37404
OFFICE: Burley

October 8, 2004

Mr. Robert L. Meinen
State of Idaho Parks and Recreation
P. O. Box 83720
Boise, ID 83720-0010

RE: Castle Rocks Ranch and United States Department of Interior exchange on Horse Quarry property

Dear Mr. Meinen:

In connection with my closing of the above referenced transaction please find the following:

1. First American Title Insurance Company's Standard Owner's Policy No. J1932323 insuring State of Idaho Parks and Recreation Board in the amount of \$680,000.00.
2. The original recorded Quitclaim Deed from the United States of America to the State of Idaho Parks and Recreation Board.
3. A copy of the recorded Quitclaim Deed from the State of Idaho Parks and Recreation Board to the United States of America on the Twin Falls County property known as the Horse Quarry property.
4. The original Landowner's Certificate signed by the Regional Director of the National Park Service, Pacific West Region.
5. The Privacy Policy Notice.
6. A copy of the letter to the Almo Water Company.
7. The acknowledged letter of instruction.

Should you have any questions concerning this matter, please do not hesitate to contact me.

Very truly yours,
Land Title and Escrow, Inc.

A handwritten signature in black ink, appearing to read "Larry Roberts".

Larry Roberts
President and General Manager

LR/nrg
enc.
Certified Mail
cc: C. Nicholas Krema
Rick L. Wagner

PAGE 1
Jun-24-2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 7, 2005

STATE OF IDAHO
DEPT OF PARKS AND REC
STATEHOUSE MAIL
PO BOX 83720
BOISE ID 83720-0065

RE: Change of Ownership for Water Rights 43-2594, 43-10583 & 43-13106

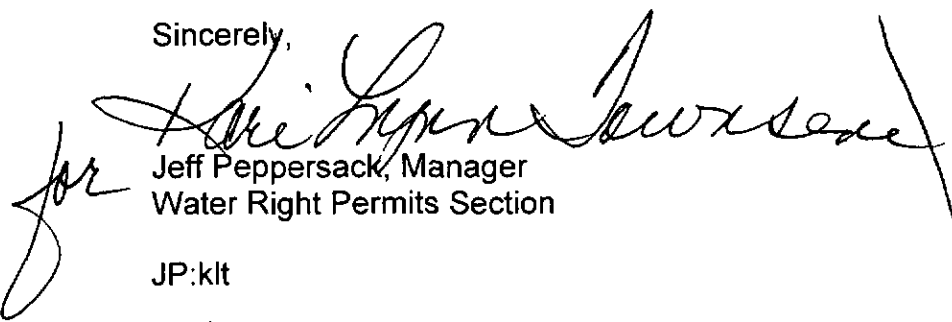
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water rights to you. The department has modified its records to reflect the changes in ownership and has enclosed computer-generated reports for your records. Also enclosed is a receipt for the \$75.00 filing fee.

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,


for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures



DIRK KEMPTHORNE
governor

Robert L. Meinen
director

Dean Sangrey, Administrator
operations division

Jane Wright, Acting Administrator
management services division

**IDAHO PARK AND RECREATION
BOARD**

Steve Klatt
region one

Randal F. Rice
region two

Ernest J. Lombard
region three

Latham Williams
region four

Jean S. McDevitt
region five

Douglas A. Hancey
region six

**IDAHO DEPARTMENT OF PARKS
AND RECREATION**

p.o. box 83720
boise, idaho 83720-0065

(208) 334-4199

fax (208) 334-3741

tdd 1-800-377-3529

street address
5657 Warm Springs Avenue

www.parksandrecreation.idaho.gov

January 4, 2005

IDAHO DEPARTMENT OF WATER RESOURCES
PO BOX 83720
BOISE, ID 83720-0098

RECEIVED
JAN 10 2005
DEPARTMENT OF
WATER RESOURCES

Attn: Jeff Peppersack

RE: Ownership Change for: 43-2594, 43-10583 & 43-13106

Dear Jeff Peppersack:

The Idaho Department of Parks and Recreation would like to submit a "Notice of Change in Water Right Ownership" for water rights 43-2594, 43-10583 & 43-13106 appurtenant to our park property known as "CASTLE ROCKS."

Map Enclosed:

Ownership change map:

Our submitted map of these rights was generated from IDWR' GIS server shape file web page at: (http://www.idwr.state.id.us/gisdata/gis_data-new.htm)

For future references please list this property as "CASTLE ROCKS STATE PARK."

No splits are necessary for these rights in our opinion, thus the completion of this ownership change should only cost \$25 per right. A check for \$75 to IDWR is enclosed to cover the filing fee.

If you need any additional information or have other concerns please don't hesitate to contact me at 334-4180 X251 or Ron Howerton at 334-4180 X294.

Thank you very much,


Aaron T. Boston, P.E.
Development Engineer

Attachments:

A \$75 check to IDWR
Notice of Change in Water Right Ownership form
Ownership change map
Related proof of ownership documents
CC: File