

J. Frederick Mack
fmack@hollandhart.com

August 5, 2004

VIA UPS OVERNIGHT

James E. Stanton
Sr. Water Resource Agent
State of Idaho
Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

RECEIVED

AUG 06 2004

Department of Water Resources
Southern Region

Re: Herrick Ranches, Inc. – Change of point of Diversion

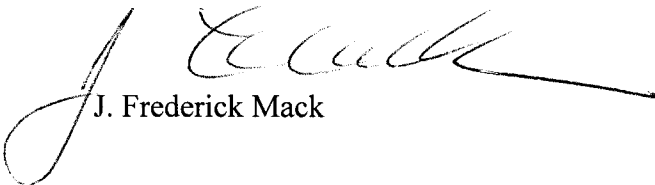
Dear Mr. Stanton:

I represent the Estates of Gerald D. Herrick and Kathryn S. Herrick, and Herrick Ranches, Inc. Herrick Ranches, Inc. is the general partner for High Mountain Ranches Limited Partnership. I am enclosing herein the revised Application for Transfer of Water Right previously delivered to your department. You will note that Tracey Kehne Walther has signed this as President of Herrick Ranches, Inc. I am enclosing a copy of the corporate documentation indicating that Tracey is President of the corporation.

Should you have any questions concerning this, please do not hesitate to contact me or Jim Bennetts. Thank you for your cooperation in this matter.

Sincerely,

HOLLAND & HART LLP


J. Frederick Mack

JFM/jll

Enclosures

pc: James R. Bennetts, Esq. (w/encs.)
Tracey Kehne Walther (w/encs.)

3263820_1.DOC

Holland & Hart LLP

Phone [208] 342-5000 Fax [208] 343-8869 www.hollandhart.com

101 South Capitol Boulevard Suite 1400 Boise, ID 83702 Mailing Address P.O. Box 2527 Boise, ID 83701-2527

Aspen Billings Boise Boulder Cheyenne Colorado Springs Denver Denver Tech Center Jackson Hole Salt Lake City Santa Fe Washington, D.C. 

Page 1 of 18STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 71446
RECEIVED**APPLICATION FOR TRANSFER OF WATER RIGHT****PART 1**Department of Water Resources
Southern RegionName of applicant High Mountain Ranches Limited Partnership Phone 208-863-5126Post Office address 2209 S CROSS CREEK LANE, BOISE ID 83706**A. PURPOSE OF TRANSFER**

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes To eliminate the Salmon River diversion with its associated problems and fish passage issues.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>72-7170</u>	<u>12/22/1981</u>	<u>.68 cfs</u>	<u>irrigation</u>	<u>4/01</u> to <u>11/01</u>
<u>72-4089</u>	<u>05/01/1902</u>	<u>.52 cfs</u>	<u>irrigation</u>	<u>4/01</u> to <u>10/31</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 1.2 cubic feet per second and/or _____ acre-feet per annum.3. Source of water Ground water tributary to N/A

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
<u>4</u>	<u>NE</u>	<u>SE</u>	<u>NW</u>	<u>14</u>	<u>11N</u>	<u>18E</u>	<u>Custer</u>	<u>HERRICK RANCHES, INC.-Well Site</u>
<u>4</u>	<u>NE</u>	<u>SE</u>	<u>NW</u>	<u>14</u>	<u>11N</u>	<u>18E</u>	<u>Custer</u>	<u>HERRICK RANCHES, INC.-River Diversion</u>
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____

5. Lands Irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
<u>11N</u>	<u>18E</u>	<u>14</u>					<u>17</u>	<u>13</u>	<u>22</u>	<u>8</u>									<u>60</u>

Total acres 60

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Transfer No. _____

PART 1**8. General Information:**a. Description of diversion system Attachment B

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer:

d. Remarks:

Also see Attachment A-Sink Creek Project Site, Attachment C-CH2M Hill Memorandum on Connectivity Issues. Note: Applicant retains old diversion as an alternate and stockwater right remains as previously filed.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

Form 1-222

Page 9 of 18

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2
(Attach one copy for each right)

RECEIVED
AUG 06 2004
 Department of Water Resources
 Southern Region

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 72-4089 Decreed to High Mountain Ranches Limited Partnership
 in case of State of Idaho vs. Gerald D. Herrick
 dated 11/17/2000 in Idaho county of Custer
- b. License No. N/A Issued by the Idaho Department of Water Resources.
- c. Claim No. N/A on file with the Idaho Department of Water Resources.
- d. Transfer No. N/A which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Salmon River tributary to Snake River4. Date or priority 1902, May 01

5. Water is used for the following purpose:

amount .52 for irrigation purposes from 4/01 to 10/31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right .52 cubic feet per second and/or N/A acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
4	NE	SE	NW	14	11N	18E	Custer	

8. Lands Irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
11N	18E	14					17	13	22	8									60

Total acres 60

9. Describe any other water rights used for the same purpose as described above _____

Page 10 of 18

PART 2

Transfer No. _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) N/A
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		N/A						

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

Form 1-222

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Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

RECEIVED

PART 2

(Attach one copy for each right)

AUG 06 2004

Department of Water Resources
Southern Region**A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

a. Decree No. 72-7170 Decreed to HERRICK RANCHES, INC., by Tracey L. Kehne Walther,
PresidentIn case of State of Idaho vs. Gerald D. Herrickdated 12/01/2000 in Idaho county of Custerb. License No. N/A issued by the Idaho Department of Water Resources.c. Claim No. N/A on file with the Idaho Department of Water Resources.d. Transfer No. N/A which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice☐ Warranty Deed☐ Other _____3. Source of water Salmon River tributary to Snake River4. Date or priority 1981, December 22

5. Water is used for the following purpose:

amount .68 for irrigation purposes from 4/01 to 11/01
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
4	NE	SE	NW	14	11N	18E	Custer	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
11N	18E	14					17	13	22	8									60

Total acres 60

9. Describe any other water rights used for the same purpose as described above _____

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PART 2

Transfer No. _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount .68 for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
			N/A					

3. Lands Irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

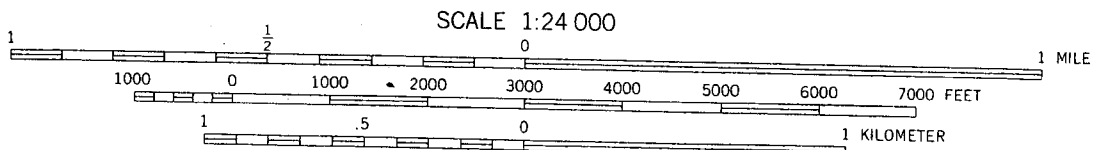
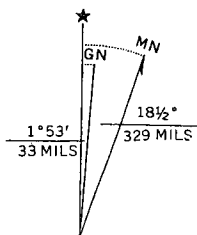
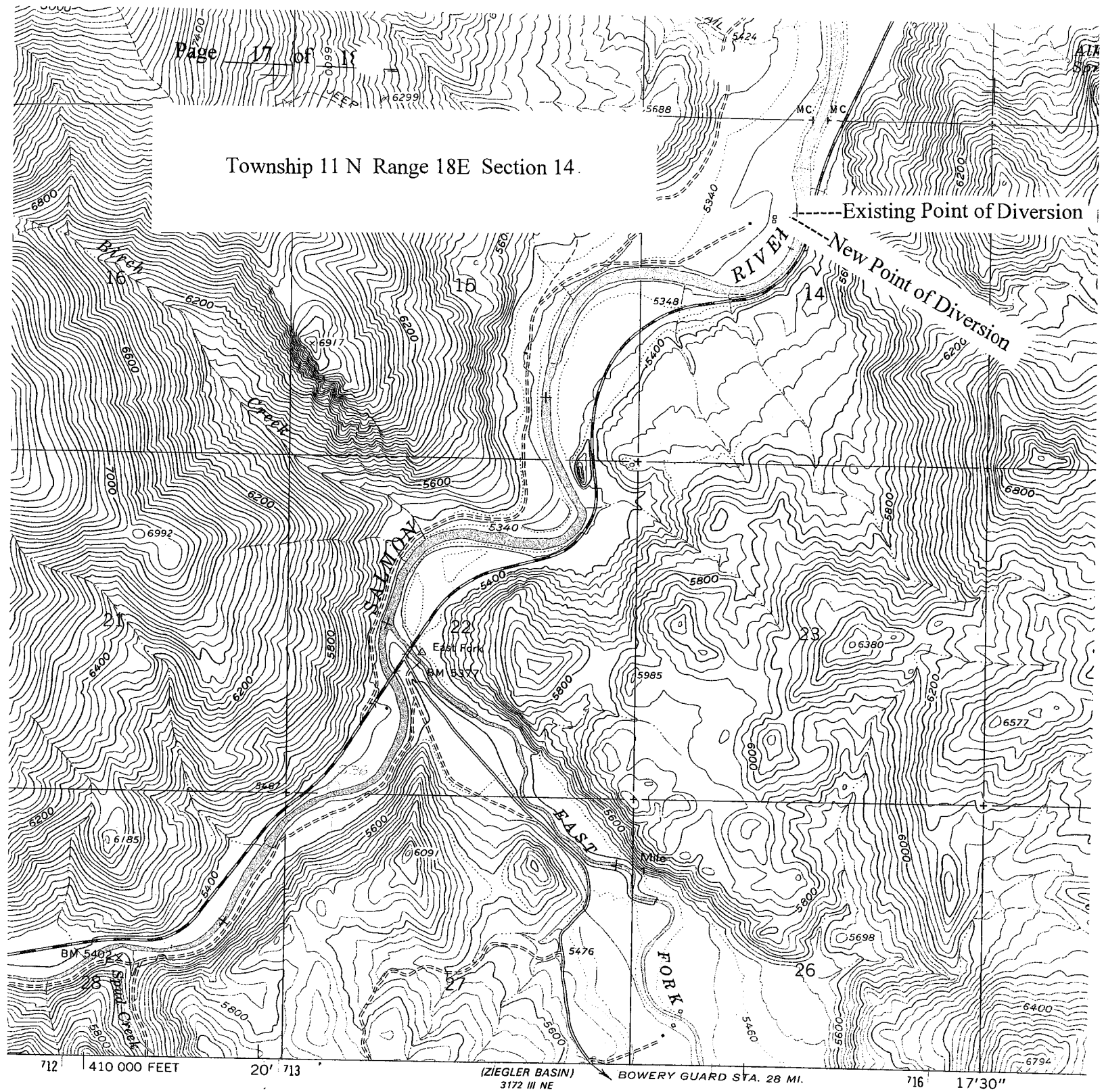
Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands Irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

Township 11 N Range 18E Section 14.



CONTOUR INTERVAL 40 FEET
 DOTTED LINES REPRESENT 20-FOOT CONTOURS
 NATIONAL GEODETIC VERTICAL DATUM OF 1929

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
 FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092
 A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

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AUG 06 2004

Transfer No. _____

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PART 3

Department of Water Resources
Southern Region

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

N/A

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

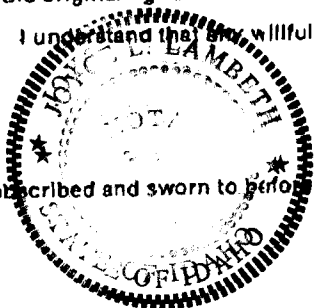
I understand that any willful misrepresentations made in this application may result in voiding its approval.

HERRICK RANCHES, INC., an Idaho corporation

By: Tracey Kehne Walther, President

5th day of August, 2004

Subscribed and sworn to before me this



Joyce L. Lambeth
(Notary Public)

My commission expires 11/10/06

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee _____

Received by _____ Date _____

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

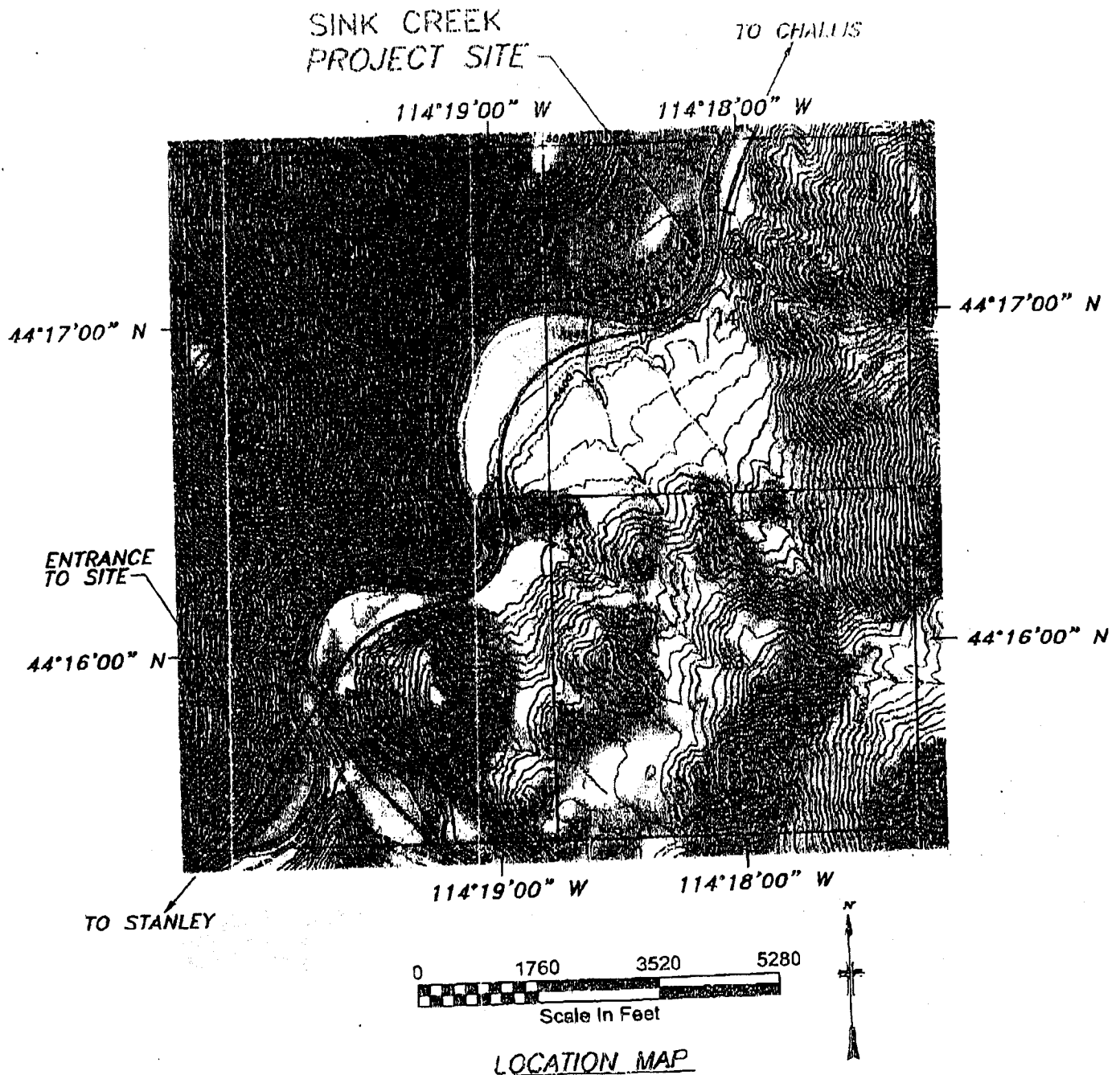
Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

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Attachment A



Page 3 of 18

Attachment B

A well and pump could replace the surface diversion in its entirety. A new well would eliminate the possibility of having an illegal take; therefore this concept complies with National Oceanic and Atmospheric Administration (NOAA) Fisheries criteria. A well appears feasible considering test well performance. The design of the necessary improvements would include a pump, a discharge head, a variable frequency drive, control valves, a flow meter, and connecting piping to the existing piping system.

An 8-inch test well was completed on September 25, 2003, to a depth of 105 feet near the Salmon River diversion of this site. The test well location is shown in the attachment Figure 3B. The pumping testing of this well performed on October 29, 2003, produced favorable results. The test well site is underlain by predominantly coarse sand and gravel to a depth of 65 feet. Deeper material appears to be decomposed granite. The test well appears adequate for use as a production well for the river diversion water right of 1.20 cfs (540 gpm), and potentially more, considering water rights associated with the Sink Creek bubbler.

Page 6 of 18
Attachment C

MEMORANDUM**CH2MHILL**

High Mountain Ranch Sink Creek Project, Salmon River Test Site; Groundwater/Surface Water Hydraulic Connectivity Issues

TO: Howie Henrikson/CH2M HILL
FROM: Chuck Feast/CH2M HILL
DATE: January 9, 2004

Purpose

The purpose of this memorandum is to establish justification for hydraulic connectivity or communication between the Salmon River and a well site on the river bank. Ultimately, exchanging the water right from an existing river diversion to a recently constructed well while retaining the water right priority date is the goal.

Location

The Sink Creek site is located on the Salmon River at approximately river mile 341. The site is approximately 2-1/2 miles downstream from the East Fork Road turnoff, or approximately 6 miles downstream from Clayton, Idaho. The diversion is positioned west of Idaho State Highway 75 (SH-75) and on the opposite riverbank from the highway. The diversion site is located in the northeast of the southeast of the northwest of Section 14, Township 11 North, Range 18 East, Lot 4, Boise Meridian.

Description

The existing diversion consists of a concrete intake structure with a turbine pump that supplies an irrigation distribution system. A cobble push-up dam in the river is part of the diversion. The diversion draws the water rights discussed below from the river. The existing diversion is currently unscreened, although an unsuccessful attempt has been made by the owner to install a screen on the intake face of the diversion structure. Continual sediment deposition at the diversion site creates the need for periodic in-river work to remove sediment and maintain an existing push-up dam to get the required flow of water to the irrigation pump.

Water Rights Review

Water rights information recorded with the Idaho Department of Water Resources (IDWR) was reviewed relative to allowable diversion rates and points of diversion for this evaluation. Table 1 presents a brief summary of the water rights as they pertain to this evaluation.

HIGH MOUNTAIN RANCH SINK CREEK PROJECT, SALMON RIVER TEST SITE; GROUNDWATER/SURFACE WATER HYDRAULIC CONNECTIVITY ISSUES

TABLE 1
Summary of Water Rights
Sink Creek Diversion Site

Point of Diversion	Water Right No.	Source and Comments
NE, SE, NW, Lot 4, S14, T11N, R18E (River Intake)	72-4089	Total Diversion 0.52 cfs and 78 AFA
NW, SE, NW, Lot 4, S14, T11N, R18E (River Intake)	72-7170	Total Diversion 0.68 cfs and 102 AFA

Notes:

AFA = acre-feet annually
cfs = cubic feet per second

Test Well

A production well was one of the alternatives considered to replace the existing river diversion and remedy the non-compliant diversion and periodic need for in-river work. Therefore, a test well was permitted and constructed. The results of the test well pumping test indicate the well is a viable alternative to replace the river diversion. Considering the total water right of 1.2 cfs (540 gallons per minute [gpm]), the existing test well appears adequate to use as a production well.

The Salmon River site test well was drilled about 110 feet from the high-water mark of the Salmon River and consists of 8-inch-diameter steel casing to 105 feet. At this location, sand and gravel extended from the surface to 65 feet at which point the borehole entered weathered granite bedrock. Weathered granite continued to the total depth drilled of 120 feet. The casing was perforated from 34 to 94 feet and on October 29, 2003, the casing was test pumped at 450 gpm for 6 hours. The static water level in the test well was approximately 1 foot lower than the water surface in the river. Although perforated into the weathered granite, most of the production from the well comes from the coarse sand and gravel. A transmissivity (T) of about 600,000 gallons per day per foot was estimated from the aquifer test. Based on the geologic log, this is an unconfined, alluvial aquifer. The well log is included in Attachment 1.

Discussion on Hydraulic Communication

Analysis of drawdown measurements did not provide any indication that the groundwater was being recharged by the nearby Salmon River during the short aquifer test. However, the groundwater and river are almost certainly hydraulically connected as summarized in the following empirical evidence:

- The lack of recharge response during the test is attributed to the short test duration, the separation between the river and the test well, and the small amount of drawdown generated by the test pumping. Based on the aquifer properties determined from the test, after 6 hours at a distance of 110 feet the estimated drawdown was only about 0.3 foot. The short test duration and small drawdown did not induce enough recharge to be noticeable in the drawdown data.

- There are no confining beds between the coarse sand and gravel aquifer and the river. Although a layer of clayey gravel from 20 to 25 feet was reported by the driller, it was also noted on the log that this formation made water. This implies that the clayey gravel may impede, but not prevent, movement of water through it, especially under long-term pumping.
- The sand and gravel aquifer fills the eroded granite bedrock valley beneath the Salmon River. The river valley is bounded on both sides by exposed bedrock. Local geology and seasonal head relationships may cause the two hydrologic systems to act independently in the short term. However, confining beds in the underlying alluvial sediments are typically discontinuous and are often lenticular and have been truncated by active and historical erosion and depositional fluvial processes. Consequently, over time and distance, within this laterally constrained hydrogeologic framework, the alluvial groundwater system and the Salmon River freely exchange water.

Confirmation of the empirical evidence that the groundwater and surface water systems are hydraulically connected requires additional testing. Two approaches may be used; however, both are expensive and time consuming. The first approach involves conducting a long-term, high-capacity aquifer test. To adequately stress the system to induce significant recharge will probably require a test of at least 1,000 gpm and a pumping period of at least 3 days. Water chemistry and temperature data should be collected periodically during the test. It may be possible to use the existing test well for the production well, but at least one and possibly several new observation wells would be required between the production well and the river. Observation wells should shorten the pumping period required to confirm recharge.

The second test method involves long-term monitoring of groundwater levels and river stages and periodic monitoring of both systems for temperature, specific conductivity, and other indication of communication, including basic water chemistry and micro-biota. The testing period should extend long enough to cover seasonal hydrologic regimes.

Conclusion

Neither test approach is particularly practical at this location. The site geology and general geologic setting provide compelling evidence of hydraulic communication between the two hydrologic systems; consequently, additional testing does not appear warranted.

**ACTION BY UNANIMOUS CONSENT
IN LIEU OF SPECIAL MEETING OF
THE SOLE SHAREHOLDER AND SOLE DIRECTOR OF
HERRICK RANCHES, INC.**

RECEIVED
AUG 06 2004
Department of Water Resources
Southern Region

The undersigned hereby certifies as follows:

1. She is the sole Shareholder and sole member of the Board of Directors of HERRICK RANCHES, INC., an Idaho corporation (hereinafter called the "Company"), entitled to vote with respect to the subject matter hereof.

2. The following resolutions are consented to by the undersigned as such sole Shareholder and sole Director as and for her unanimous act and the act of the Company in accordance with the Idaho Business Corporation Act (as amended from time to time, the "Act"):

RESOLVED, that the sole shareholder of the Company does hereby adopt the following resolutions:

RESOLVED, that the following individuals are hereby elected to serve as members of the Board of Directors until the next annual meeting of the Company's shareholders or until their successors shall be elected or appointed and shall qualify:

Tracey L. Kehne Walther
Jeffrey R. Herrick
Stephanie K. Ball

and

RESOLVED, that all the acts of the director of the Corporation taken on behalf and in the name of the Corporation since January 4, 2003, be and the same are hereby approved, ratified and confirmed in all respects and particulars; and

RESOLVED, that this certificate shall be deemed to be executed in lieu of the annual meeting of shareholders for 2004.

RESOLVED, that the Board of Directors of the Corporation does hereby adopt the following resolutions:

RESOLVED, that the following individuals are hereby elected to hold the offices set forth opposite their respective names until the next annual meeting of the Board of Directors or until their respective successors shall be elected or appointed and shall qualify:

President	Tracey L. Kehne Walther
Vice President	Jeffrey R. Herrick
Secretary/Treasurer	Stephanie K. Ball

and

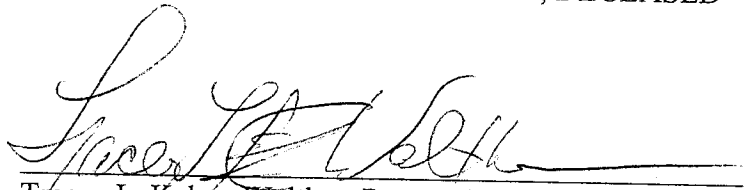
RESOLVED, that all acts of the officers of the Corporation taken on behalf and in the name of the Corporation in the conduct of its business and affairs since January 4, 2003, be and the same are hereby approved, ratified and confirmed in all respects and particulars; and

RESOLVED, that this certificate shall be deemed to be executed in lieu of the annual meeting of the Board of Directors for 2004.

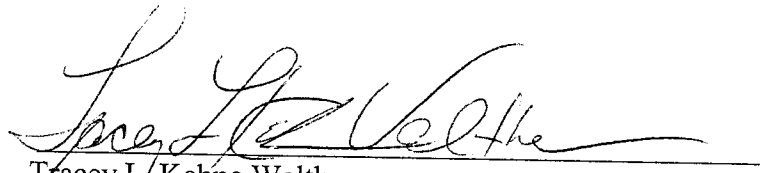
3. The undersigned has executed this certificate effective as of the 3rd day of June, 2004.

SOLE SHAREHOLDER:

ESTATE OF KATHRYN S. HERRICK, DECEASED


Tracey L. Kehne Walther, Personal Representative

SOLE DIRECTOR:


Tracey L. Kehne Walther

No. C 118283	Due no later than February 29, 2004 Annual Report Form		2. Registered Agent and Office NO PO BOX	
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080	1. Mailed to the Secretary of State on the following date: 12/1/03 HERRICK RANCHES, INC. TRACEY WALTHER 2209 S CROSSCREEK LANE BOISE, ID 83706		TRACEY WALTHER 2209 S CROSSCREEK LN BOISE, ID 83706	
NO FILING FEE IF RECEIVED BY DUE DATE			3. New Registered Agent Signature	
4. Corporations: Enter Names and Business Addresses of President, Secretary and Directors.				
Office held <i>President</i>	Name <i>Tracey L. Walther</i>	Street or P.O. Address <i>2209 S. Crosscreek Lane</i>	City <i>Boise</i>	State <i>ID</i>
				Zip <i>83706</i>
5. Organized Under the Laws of:				
IDAHO C 118283				
6.		Signature <i>Tracey L. Walther</i> Date <i>12/1/03</i>		
Name (Printed) <i>Tracey L. Walther</i>		Title <i>President</i>		
Issued 12/01/2003		Do Not Tape or Staple		4159

L3359

CERTIFICATE OF LIMITED PARTNERSHIP

(Instructions on back of application) Feb 13 10 37 AM '97

SECRETARY OF STATE
STATE OF IDAHO



- The name of the limited partnership is: High Mountain Ranches Limited Partnership
- The name and business address of the registered agent are:
Gerald D. Herrick
2027 Silver Creek Lane - Boise, Idaho 83706
(not a P.O. Box)
- The name and business address of each general partner are:

<u>Name</u>	<u>Address</u>
Berrick Ranches, Inc.	2027 Silver Creek Lane Boise, Idaho 83706
- The latest date on which the partnership will dissolve is: December 31, 2045
(If more space is needed, continue in item 5.)
- Other matters (optional):
- Signatures of all general partners:
HERRICK RANCHES, INC., an Idaho corporation
 By: Gerald D. Herrick
 Gerald D. Herrick, President

Secretary of State use only

IDAHO SECRETARY OF STATE

DATE 02/13/1997

0900 63931 2

CK #: 18484 CUST#: 2105

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HERRICK RANCHES, INC.

2209 S CROSSCREEK LANE
BOISE, ID 83706

Type of Business: CORPORATION, GENERAL BUSINESS

Status: GOODSTANDING, ANREPT SENT 01 Dec 2003

State of Origin: IDAHO

Date of 13 Feb 1997

Origination/Authorization:

Current Registered Agent: TRACEY WALTHER
2209 S CROSSCREEK LN
BOISE, ID 83706

Organizational ID / Filing C118283
Number:

Number of Authorized Stock 5000000
Shares:

Date of Last Annual Report: 09 Dec 2003

Amendments:

Amendment filed 13 Feb 1997 INCORPORATION

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HIGH MOUNTAIN RANCHES LIMITED PARTNERSHIP

2027 SILVER CREEK LN
BOISE, ID 83706

Type of Business: LIMITED PARTNERSHIP

Status: CURRENT 13 Feb 1997

State of Origin: IDAHO

Date of 13 Feb 1997

Origination/Authorization:

Initial Registered Agent: GERALD D HERRICK
2027 SILVER CREEK LN
BOISE, ID 83706

File Number: L3359

Date of Last Annual Report: N/A

Amendments:

Amendment 0 filed 13 Feb 1997 CERTIFICATE OF LP

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