

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 71010APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Diamond A Livestock, Inc. Phone (208) 934-5391Post Office address 1997 S. 1875 E. Gooding, ID 83330

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Create P.P.U.
2. Describe the reason for the proposed changes Create a permissible place of use to meet the
irrigation needs of the Ranch. Add one point of diversion upstream for new
pipeline.

RECEIVED
JAN 12 2004
Department of Water Resources
Southern Region

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>37-228</u> | <u>6/1/1883</u> | <u>2.0 cfs</u> | <u>Irrigation</u> | <u>4/15 to 10/15</u> |
| <u>37-229</u> | <u>6/1/1884</u> | <u>2.0 cfs</u> | <u>Irrigation</u> | <u>4/15 to 10/15</u> |
| <u>37-2147</u> | <u>7/10/1909</u> | <u>0.6 cfs</u> | <u>Irrigation</u> | <u>4/15 to 10/15</u> |
| | | <u>.04 cfs</u> | <u>Domestic</u> | <u>1/1 to 12/31</u> |
| | | | | <u>to</u> |
2. Total amount of water being transferred 4.60 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Chimney Creek tributary to Camas Creek
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		NW	NE	27	1N	12E	Camas	New POD - Chimney Creek
		NW	NE	27	1N	12E	Camas	New POD - unnamed stream
	NW	NW	SW	26	1N	12E	Camas	26-#1
	NE	SW	SW	26	1N	12E	Camas	26-#2
	NW	NW	SE	35	1N	12E	Camas	35-#1

5. 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	
01N	12E	26							1.2			15.4	22.8	32.6			4.1		76.1
		26										D	D						D
1N	12E	35		37.3	39.7		40.0	39.7	35.8	37.0						39.8			269.3

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Diamond A Livestock, Inc. Phone (208) 934-5391Post Office address 1989 S. 1875 E. Gooding, ID 83330

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Create P.P.U.
2. Describe the reason for the proposed changes Create a permissible place of use to meet the
irrigation needs of the Ranch. Add one point of diversion upstream for new
pipeline. Reduce acreage to mitigate for pond evaporation.

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

1. Right Number SEE Priority ATTACHMENT Amount (cfs/ac-ft) "A" Nature of Use to
to
to
to
to
2. Total amount of water being transferred 41.5 cubic feet per second and/or acre-feet per annum.
3. Source of water Chimney Creek tributary to Camas Creek
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		NW	NE	27	1N	12E	Camas	New POD for pipeline
	NW	NW	SW	26	1N	12E	Camas	26-#1
	NE	SW	SW	26	1N	12E	Camas	26-#2
	NW	NW	SE	35	1N	12E	Camas	35-#1

5. 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	
01N	12E	26							1.2			15.4	22.8	32.6			4.1		76.1
		26										D	D						D
1N	12E	35		37.3	39.7		40.0	39.7	35.8	37.0						39.8			269.3

PART 1

6. General Information:

- a. Description of diversion system Collection pond with headgate & gravity fed pipeline in 27.
Two current headgates in Section 26, one current headgate in Section 35.
- 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:
None

Remarks:

Irrigation regulation pond will be 9.1 acre-feet or less, in accordance
with IDWR policy.

RECEIVED
JAN 12 2004
Department of Water Resources
Southern Region

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 _____

PART 1**6. General Information:**

- a. Description of diversion system Collection pond with headgate & gravity fed pipeline in 27.
Two current headgates in Section 26, one current headgate in Section 35.
- 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:
Historical irrigation of 257.3 acres will be reduced by 2.5 ac. to
254.8 acres to mitigate for evaporation from 2.2 ac. for storage ponds.

Remarks:

Annual pond evaporation at the site is 34.0 inches from the NOAA evaporation
atlas. This equates to 6.23 ac-ft/year of evaporation. Using IDWR consumptive
use allowance of 2.5 ac-ft/acre, 2.5 acres must be dried up to mitigate.
The diversion rate for irrigation is being reduced accordingly.

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 _____.

ATTACHMENT "A"

PART 1.B.1 Description of right(s) after the requested change

Right No. 37-228

Priority: 6/1/1883

Amount (cfs/af)	Nature of Use	Period of Use
1.98 cfs / 891.8 af	Irrigation	4/15 10/15
2.00 cfs	Diversion to Storage	1/1 12/31
22.0 af	Irrigation Storage	1/1 12/31
22.0 af	Irrigation From Storage	4/15 10/15

Right No. 37-229

Priority: 6/1/1884

Amount (cfs/af)	Nature of Use	Period of Use
1.98 cfs / 891.8 af	Irrigation	4/15 10/15
2.00 cfs	Diversion to Storage	1/1 12/31
22.0 af	Irrigation Storage	1/1 12/31
22.0 af	Irrigation From Storage	4/15 10/15

Right No. 37-2147

Priority: 7/10/1900

Amount (cfs/af)	Nature of Use	Period of Use
0.60 cfs / 105.0 af	Irrigation	4/15 10/15
0.60 cfs	Diversion to Storage	1/1 12/31
22.0 af	Irrigation Storage	1/1 12/31
22.0 af	Irrigation From Storage	4/15 10/15
0.04 cfs	Domestic	1/1 12/31

TOTAL AMOUNTS (all rights)

Amount (cfs/af)	Nature of Use	Period of Use
4.56 cfs / 891.8 af	Irrigation	4/15 10/15
4.60 cfs	Diversion to Storage	1/1 12/31
22.0 af	Irrigation Storage	1/1 12/31
22.0 af	Irrigation From Storage	4/15 10/15
0.04 cfs	Domestic	1/1 12/31

Page _____ of _____

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 37-228 Decreed to Andrew J. Fletcher
in case of S.C. Frost vs. Alturas Water Co., et. al.
dated 10/6/1907 in Lincoln county of Idaho
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 37-228 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ 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 Chimney Creek tributary to Camas Creek

4. Date of priority 06/01/1883

5. Water is used for the following purpose:

Amount 2.0 for Irrigation purposes from 4/15 to 10/15
(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 2.0 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NW	NW	SW	26	1N	12E	Camas	26 - #1
	NE	SW	SW	26	1N	12E	Camas	26 - #2
		NW	SE	35	1N	12E	Camas	35 - #1

8. 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	
1N	12E	26							1.2			14.7	17.1	15.5			0.1		48.6
1N	12E	35		12.8	37.3		29.1	25.8	35.8	37.1						30.8			208.7

ACREAGE BASED ON AMENDED SRBA CLAIMS

Total acres 257.3

9. Describe any other water rights used for the same purpose as described above *Water rights 37-229, 37-2147

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)
 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 _____

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 _____

Page _____ of _____

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 37-229 Decreed to Andrew J. Fletcher
in case of S.C. Frost vs. Alturas Water Co., et. al.
dated 10/6/1907 in Lincoln county of Idaho
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 37-229 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ 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 Chimney Creek tributary to Camas Creek

4. Date of priority 06/01/1884

5. Water is used for the following purpose:

Amount 2.0/- for Irrigation purposes from 4/15 to 10/15
(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 2.0 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NW	NW	SW	26	1N	12E	Camas	26 - #1
	NE	SW	SW	26	1N	12E	Camas	26 - #2
		NW	SE	35	1N	12E	Camas	35 - #1

8. 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	
1N	12E	26							1.2			14.7	17.1	15.5			0.1		48.6
1N	12E	35		12.8	37.3		29.1	25.8	35.8	37.1						30.8			208.7

ACREAGE BASED ON AMENDED SRBA CLAIMS

Total acres 257.3

9. Describe any other water rights used for the same purpose as described above *Water rights 37-228, 37-2147

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)
 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 _____

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 _____

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 37-2147 issued by the Idaho Department of Water Resources.
- c. Claim No. 37-2147 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ 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 Chimney Creek tributary to Camas Creek4. Date of priority 7/10/1909

5. Water is used for the following purpose:

Amount 0.60/- for Irrigation purposes from 4/15 to 10/15
(cfs/ac-ft)

Amount 0.04/- for Domestic purposes from 1/1 to 12/31
(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.60 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NW	NW	SW	26	1N	12E	Camas	26 - #1
	NE	SW	SW	26	1N	12E	Camas	26 - #2
		NW	SE	35	1N	12E	Camas	35 - #1

8. 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	
1N	12E	26							1.2			14.7	17.1	15.5			0.1		48.6
1N	12E	35		12.8	37.3		29.1	25.8	35.8	37.1						30.8			208.7

ACREAGE BASED ON AMENDED SRBA CLAIM - 30 ACRES WITH THIS PPU

Total acres 257.39. Describe any other water rights used for the same purpose as described above *Water rights 37-228, 37-229

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)
 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 _____

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 _____

PART 3**B. CHANGES IN NATURE OF USE**

1.

<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
_____	_____	_____	_____ to _____
_____	_____	_____	_____ to _____
2. Quantity and quality of return flows and location of discharge:

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

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.



Subscribed and sworn to before me this _____

22

day of _____

(Signature of Applicant)

19 03

Heather M. Maxson
(Notary Public)

My commission expires _____

2-24-09

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by ADM Date _____ Protest filed by _____

Prelim. check by P. SKINNER Fee \$410⁰⁰ 5026218

Received by ADM Date 11/13/03

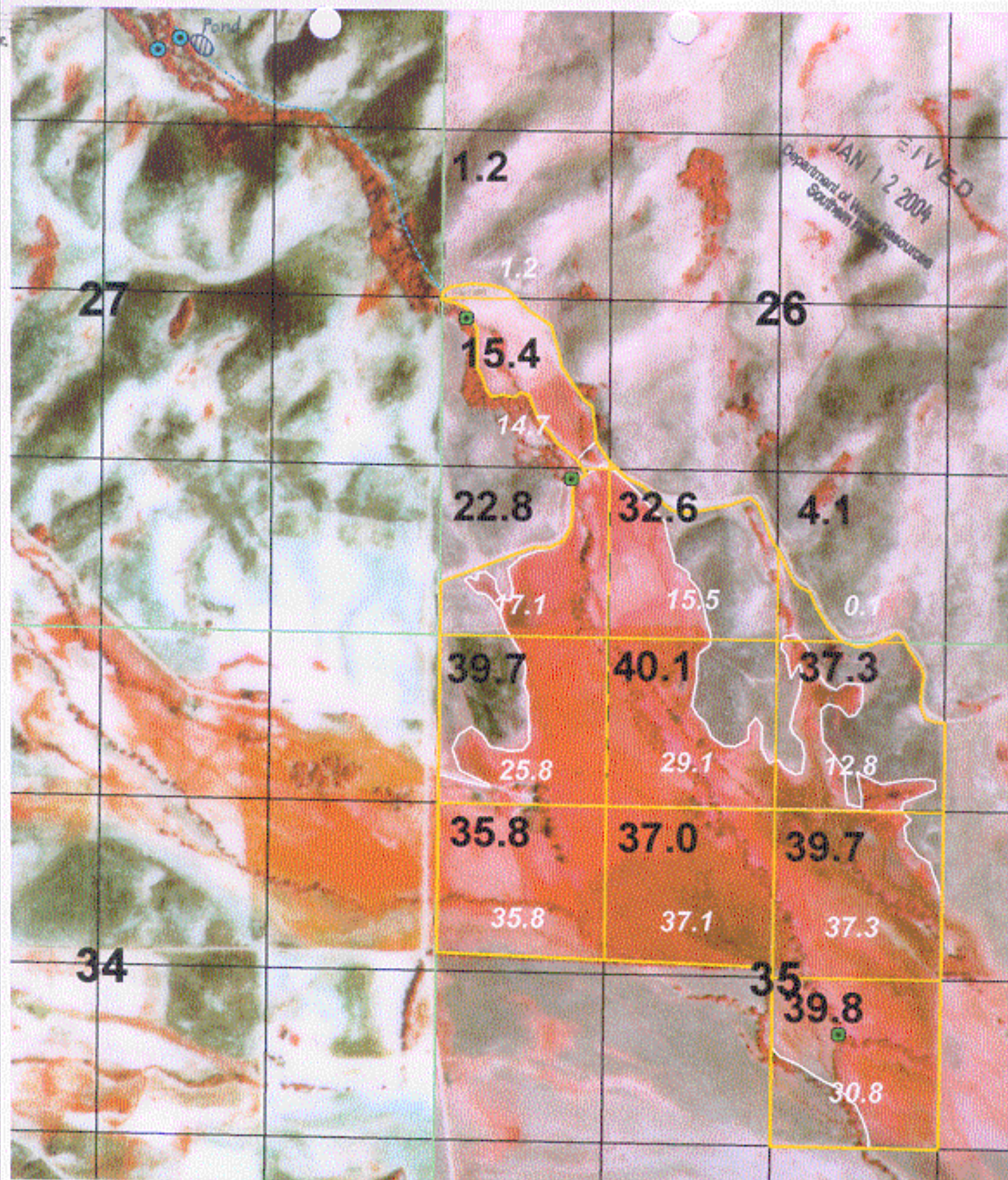
Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ Approval ☐ Denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____



(white) 29.1 = 1987 Irr. Area

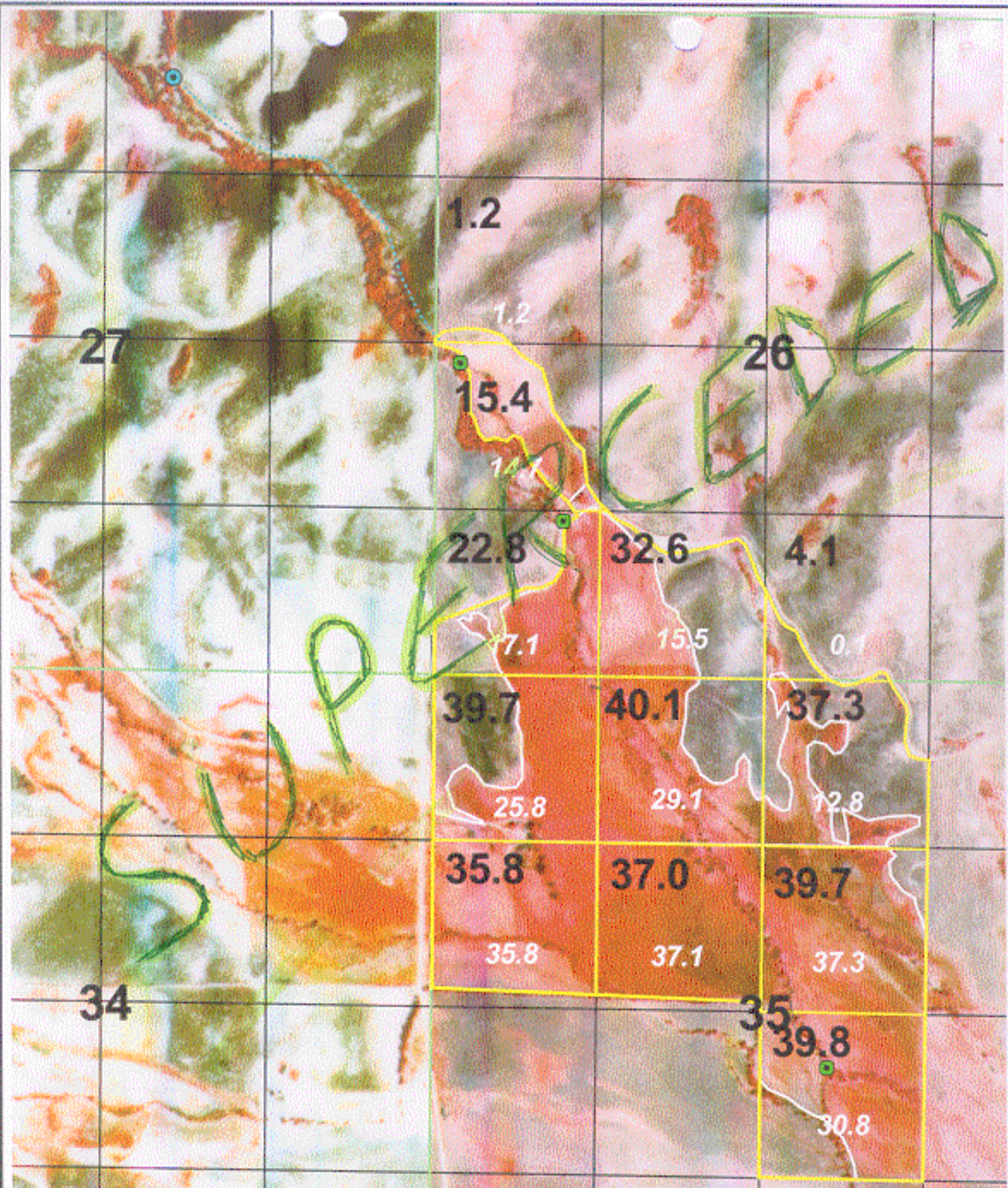
30.8 = P.P.U. Area

BROCKWAY ENGINEERING, PLLC.
ALR OCT. 13, 2003, Revised 11/25/03

**DIAMOND A LIVESTOCK
WATER RIGHT TRANSFER**
37-228, 37-229, 37-2147
FSA Aerial Photo 1987

- P.P.U. Irrigated Area
- Sections Lines
- Pipeline
- New P.O.D.
- Current P.O.D.
- T. 01N., R. 12E.





(white) 29.1 = 1987 Irr. Area

30.8 = P.P.U. Area

**DIAMOND A LIVESTOCK
WATER RIGHT TRANSFER**
37-228, 37-229, 37-2147
FSA Aerial Photo 1987

BROCKWAY ENGINEERING, PLLC.
ALR OCT. 13, 2003

- P.P.U. Irrigated Area
- Sections Lines
- Pipeline
- New P.O.D.
- Current P.O.D.
- T. 01N., R. 12E.



LIMITED POWER OF ATTORNEY

KNOWN ALL MEN BY THESE PRESENT:

I, Fred Faulkner, hereby nominate and appoint
Charles G. Brockway as my attorney-in-fact with full authority to
act for and on my behalf to undertake any and all acts or matters pertaining to water right
transfers before the Idaho Department of Water Resources for the following water right
transactions:

Water right transfer of Right Nos. 37-228, 37-229, and 37-2147, filed October 2003
to modify the place of use and points of diversion and permit or transfer applications
necessary to add a storage component to the rights.

in Camas County, Idaho. Additionally, I hereby ratify and confirm any
and all such acts on matters as contemplated herein.

My agent is hereby authorized to sign, seal and deliver, as my act in deed, those said
instruments of writing that may be necessary or proper to carry into execution and effect the
applications, and transfers above-mentioned. Further, I hereby declare that each and every
application, transfer, agreement, receipt, or payment which shall be by my said agent given,
made or done for the aforesaid purposes shall be as good, valid, and effectual as if they had
been signed, sealed, and delivered by me in my own proper person; and I hereby undertake at
all times to ratify whatsoever my said agent shall lawfully do or cause to be done in or
concerning the said premises by virtue of these present. This Limited Power of Attorney will
become void upon approval, denial or withdrawal of the above referenced applications.

Dated this 22 day of 10 2003.

Fred Faulkner

Signature

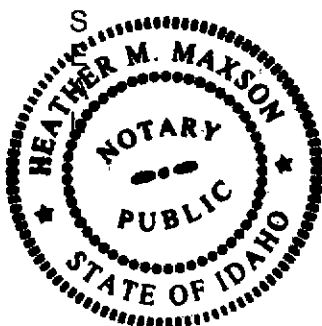
Signature

State of Idaho)

County of Twin Falls) ss.

On this 22nd Day of October, 2003, before me, a Notary Public
in and for said County and State, personally appeared FRED FAULKNER,
known or identified to me to be the individual whose name and subscription 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.



Heather M. Maxson
Notary Public

In and for said State and County

2-24-09
My Commission Expires

QUITCLAIM DEED

For value received, Faulkner Land & Livestock, Inc., an Idaho corporation, does hereby convey, release, remise and forever quit claim unto and Diamond A Livestock, Inc., an Idaho corporation, the following described premises located in Camas County, Idaho, to wit:

TOWNSHIP 1 NORTH, RANGE 12, EAST OF THE BOISE MERIDIAN
CAMAS COUNTY, STATE OF IDAHO

Section 5: NW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 6: Lot 5, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$

Section 7: W $\frac{1}{2}$ NE $\frac{1}{4}$

Section 8: SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 13: SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 14: NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$

Section 15: W $\frac{1}{2}$ SE $\frac{1}{4}$

Section 16: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 21: SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$

Section 22: NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$

Section 23: E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 24: NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$

Section 25: NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ less a parcel of land beginning at the section corner common to Section 25-26, 35-36; thence East along the south line of Section 25 a distance of 220 feet; thence North 550 feet; thence West 220 feet to a point on the west line of Section 25; thence South 550 feet to the place of beginning.

Section 26: NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ less a parcel of land beginning at the section corner common to Sections 25-26, 35-36, thence North along the section line common to Section 25-36 a distance of 550 feet; thence West 150 feet; thence South 550 feet to a point on the section line common to Section 26-35; thence East 150 feet to the point of beginning.

Section 27: NE $\frac{1}{4}$, SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 28: E $\frac{1}{2}$ E $\frac{1}{2}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$

Section 29: S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ E $\frac{1}{2}$ T. 114

Section 30: Lot 3, Lot 4, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$

Section 31: Lot 1, Lot 2, Lot 3, Lot 4, NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$

Section 32: W $\frac{1}{2}$

Section 35: W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$

Together with appurtenances.

DATED: This 27 day of October, 2003.

Faulkner Land & Livestock, Inc.

By John T. Faulkner
President
John T. Faulkner
Secretary

STATE OF IDAHO)

)ss.

County of Gooding)

On the 27 day of October, 2003, before me, a Notary Public in and for said state, personally appeared John L. Faulkner and Michael Faulkner, known to me to be the President and Secretary of Faulkner Land & Livestock, Inc., and the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same on behalf of said corporation.

IN WITNESS WHEREOF, I have hereto set my hand and affixed my official seal, the day and year above written.

SEVERT SWENSON, JR.
NOTARY PUBLIC
STATE OF IDAHO
Residing at Gooding.
Commission expires 03/13/2004


Notary Public for Idaho

Send Tax Notice to:

Diamond A Livestock, Inc.
1997 South 1875 East
Gooding, ID 83330

State of Idaho

Department of State

CERTIFICATE OF INCORPORATION OF

DIAMOND A LIVESTOCK, INC.

I, PETE T. CENARRUSA, Secretary of State of the State of Idaho, hereby certify that duplicate originals of Articles of Incorporation for the incorporation of the above named corporation, duly signed pursuant to the provisions of the Idaho Business Corporation Act, have been received in this office and are found to conform to law.

ACCORDINGLY and by virtue of the authority vested in me by law, I issue this Certificate of Incorporation and attach hereto a duplicate original of the Articles of Incorporation.

Dated: March 31, 1992



Pete T. Cenarrusa

SECRETARY OF STATE

By

Art Richards

ARTICLES OF INCORPORATION

OF

DIAMOND A LIVESTOCK, INC.

RECEIVED
SEC. OF STATE

'92 MAR 23 AM 10 24

RECEIVED
SEC. OF STATE
'92 MAR 31 AM 8 49

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, being an Idaho corporation in good standing, has this day voluntarily submitted these Articles for the purpose of forming a corporation under the provisions of Idaho Code §30-1-1 et seq.:

And it is hereby certified in writing:

ARTICLE I

NAME

The name of said corporation shall be DIAMOND A LIVESTOCK, INC.

ARTICLE II

PURPOSES AND POWERS

The purposes for which this corporation is formed are:

A. To engage in a livestock and ranching operation.

B. To buy, sell, mortgage, exchange, lease, let, hold for investment or otherwise, use and operate, real estate of all kinds, improved or unimproved, and any right or interest therein.

C. To manufacture, produce, buy, sell, trade and deal in any and all types and kinds of goods, machinery, products, merchandise and personal property of every class and

description at wholesale or retail for and on account of the corporation or as manufacturer, broker, factor or agent for others.

D. To enter into, make, perform and carry out contracts of every sort and kind with any person, firm or corporation or other legal entity and to acquire and take over the good will, property, rights, franchises, options and assets of every kind and the liabilities of any person, firm, association, corporation or other legal entity either wholly or in part, and to pay for the same in cash, stocks or bonds of the corporation or otherwise.

E. To purchase or acquire property, business right or franchises or for any other object in or about its business affairs, to incur debts and to borrow and secure the payment of money in any lawful manner, including the issue and sale or other disposition of bonds, debentures, notes or other evidence of indebtedness, and to acquire by purchase, gift or otherwise, shares of its own corporate stock and cancel the same or any part thereof, or hold all or any of such stock for resale as treasury stock, or for the purpose of making stock dividends to its shareholders and to restrict the transferability of its outstanding shares to the extent reasonably necessary to protect the rights of the corporation and its shareholders in any stock purchase, contracts, or options that may be made between themselves or any of them.

F. To act as surety or creditor in any and all types of engagements, including the power to execute, endorse and deliver contracts and to guarantee the prompt and faithful performance for payment of debts, notes, agreements, contracts and undertakings of any other person, firm, partnership or corporation, and to act as accommodation co-maker or guarantor on obligations either as primary or secondary obligor.

ARTICLES OF INCORPORATION - 2

G. Without in any manner limiting any of the objects, purposes or powers of the corporation, the business or purposes of said corporation shall be from time to time to do any one or more of all of the acts or things herein set forth.

H. The several subdivisions contained in this paragraph of purposes shall be construed as both purposes and powers and the enumeration thereof shall not be held to limit or restrict in any manner the general powers, conferred on business corporations, by the laws of the State of Idaho, all of which powers are expressly claimed.

ARTICLE III

DURATION

Subject to dissolution in the manner provided by law, the corporation shall be perpetual.

ARTICLE IV

REGISTERED OFFICE

The registered office of said corporation in the State of Idaho shall be located in the County of Gooding, the post office address of the registered office of said corporation in the State of Idaho, County of Gooding, shall be 1997 South 1875 East, Gooding, Idaho 83330. Fred Faulkner shall be the registered agent at the address set forth above.

ARTICLE V

CORPORATE STOCK

A. The aggregate number of shares which the corporation shall have authority to issue is TEN THOUSAND (10,000), all of which shall be designated common stock and shall have a par value of \$1.00 per share .

ARTICLE VI
INCORPORATOR

Following is the name and post office address of the incorporator:

NAME OF INCORPORATOR

ADDRESS

Faulkner Land & Livestock Company, Inc.

1989 S. 1875 E.
Gooding, Idaho 83330

ARTICLE VII
MANAGEMENT

A. The business of the corporation shall be managed by a board of at least four (4) directors, except that if all of the shares of the corporation are owned beneficially and of record by either one (1) or two (2) stockholders, the number of directors may be less than four (4) but not less than the number of stockholders. Directors need not be shareholders. A director shall hold office for the term for which he was named or elected and until his successor is elected and qualified.

B. Fred Faulkner, Susan Faulkner, Jeff Faulkner, and Jay Faulkner shall serve as directors until the first meeting of shareholders or until their successors are qualified and elected. Address of Directors: 1997 S. 1875 E., Gooding, Idaho 83330.

ARTICLE VIII

BY-LAWS

The power to adopt, repeal and amend the By-Laws of the corporation shall be in the stockholders and the By-Laws may be amended, adopted, or repealed by a majority vote of the stock issued and entitled to vote.

ARTICLES OF INCORPORATION - 4

IN WITNESS WHEREOF, we have hereunto set our hands this 20th day of _____

March, 1992.

FAULKNER LAND & LIVESTOCK
COMPANY, INC.

By
Its

[Signature]

ATTEST:

[Signature]
Secretary

STATE OF IDAHO)
)ss.
County of Gooding)

On this 20th day of March, 1992, before me, a Notary Public, in and for said County and State, personally appeared John Faulkner and David Faulkner, known or identified to me to be the President and Secretary, respectively, of the Faulkner Land & Livestock Company, Inc., the corporation that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.

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

[Signature]
NOTARY PUBLIC FOR IDAHO
Residing at: Gooding, Idaho
My commission expires: 10-24-97

02259216.GDS

ARTICLES OF INCORPORATION - 5

No. C 98086 Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080	Due no later than Mar 31, 2003 Annual Report Form 1. Mailing Address - Complete in this box if applicable DIAMOND A LIVESTOCK, INC. FRED FAULKNER 1997 SOUTH 1875 EAST GOODING, ID 83330	2. Registered Agent and Office NO PO BOX FRED FAULKNER 1997 SOUTH 1875 EAST GOODING, ID 83330 3. <u>New</u> Registered Agent Signature																								
NO FILING FEE IF RECEIVED BY DUE DATE 4. Corporations: Enter Names and Business Addresses of President, Secretary and Directors. <table border="0"> <tr> <td><u>Office held</u></td> <td><u>Name</u></td> <td><u>Street or P.O. Address</u></td> <td><u>City</u></td> <td><u>State</u></td> <td><u>Zip</u></td> </tr> <tr> <td>President</td> <td>Fred Faulkner</td> <td>1997 S 1875 E.</td> <td>Gooding</td> <td>ID</td> <td>83330</td> </tr> <tr> <td>Secretary</td> <td>Jay Faulkner</td> <td>1897 E. 2000 S.</td> <td>Gooding</td> <td>ID</td> <td>83330</td> </tr> <tr> <td>Treasurer</td> <td>Susan Faulkner</td> <td>1997 S. 1875 E.</td> <td>Gooding</td> <td>ID</td> <td>83330</td> </tr> </table>			<u>Office held</u>	<u>Name</u>	<u>Street or P.O. Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>	President	Fred Faulkner	1997 S 1875 E.	Gooding	ID	83330	Secretary	Jay Faulkner	1897 E. 2000 S.	Gooding	ID	83330	Treasurer	Susan Faulkner	1997 S. 1875 E.	Gooding	ID	83330
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Secretary	Jay Faulkner	1897 E. 2000 S.	Gooding	ID	83330																					
Treasurer	Susan Faulkner	1997 S. 1875 E.	Gooding	ID	83330																					
5. Organized Under the Laws of: IDAHO C 98086	6. Signature <u>Susan Faulkner</u> Date <u>1-13-03</u> (Typed or Name Printed) <u>Susan Faulkner</u> Title <u>Treas</u> / <u>Admin.</u>																									

2576

Do Not Tape or Staple

Issued 01/02/2003

Diamond A Livestock, Inc.

2007 MAY -1 AM 8:51

SECRETARY OF STATE
STATE OF IDAHO



Fred, Jeff & Jay Faulkner
(208) 934-5391
1997 South 1875 East
Gooding, Idaho 83330

C 98086
Chg Officers /
Directors

April 29, 2002

Idaho Secretary of State
P.O. Box 83720
Boise, Idaho 83720-0080

RE: AMENDED LIST OF OFFICERS AND DIRECTORS FOR DIAMOND A LIVESTOCK, INC.

Please amend our list of officers and directors as of this date as follows:

President: Fred Faulkner 1997 South 1875 East, Gooding, ID 83330
Secretary: Jay Faulkner 1897 East 2000 South, Gooding, ID 83330
Treasurer: Susan Faulkner, 1997 South 1875 East, Gooding, ID 83330

The Directors of the corporation are the same as the three officers above listed.

Respectfully Submitted,

Susan Faulkner

Susan Faulkner, Treasurer