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Form 13-148/42-1409(6) March 28, 1995

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SEP 11 2000

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

MAY 11 2000

Department of Water Resources
Eastern Region

Department of Water Resources

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

1. Water Right No(s): _____
Adjudication Claim No(s): A73-02098 et al (see attached list)
2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - AND
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)
 - OR
 - C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.
3. Name and Address of Former Owner/Claimant ACENTA LIFE
4. New Owner/Claimant(s) Sulphur Creek Livestock
New Mailing Address P.O. Box 151
City, State and ZIP Code May, ID 83253
New Telephone Number (208) 876-4405
5. Date you acquired the property _____
6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right _____	Number and type of stock _____
Diversion rate in CFS _____	Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s) or Claimant(s) Subd Whitworth, partner, MTW AGEN

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

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See file 73-10046 for support documentation 2001

A73-00002B

A73-07000

A73-00007A

A73-07022

A73-00007B

A73-07038

A73-00008B

A73-10047

A73-00042

A73-00113

A73-00140

A73-00157

Partial Decrees

A73-00158

Processed by

A73-00165

Allocation at

A73-00168

State Office

A73-00173

73-10046

A73-00178

73-10048

A73-00179

73-10050

A73-00187A

73-10051

A73-00188A

73-10052

A73-02038

73-10053

A73-02091

A73-02098

A73-02102

A73-02114

A73-02115

A73-02122

A73-02137

A73-02141

A73-02142

A73-02153

A73-02155

A73-02156

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SPECIAL WARRANTY DEED

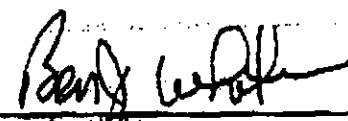
FOR VALUE RECEIVED, The Atna Casualty and Surety Company, a corporation duly organized and existing under the laws of the State of Connecticut, Grantor, does hereby grant, bargain, sell, convey and assign unto SULPHUR CREEK LIVESTOCK CO., an Idaho general partnership, Grantee, whose current address is H. C. 62, May, Idaho 83253, the real estate described in Exhibit A attached hereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances, including all water rights described in Exhibit B attached hereto and all grazing permits/range improvements and leases described in Exhibit D attached hereto, unto the said grantee and its assigns forever.

The Grantor for itself and for its successors in interest does by these presents expressly limit the covenants in this deed to those herein expressed, and excludes all covenants arising or to arise by statutory or other implication, and does hereby covenant that against all persons whomsoever lawfully claiming or to claim by, through or under said Grantor and not otherwise and will forever warrant the said described real estate.

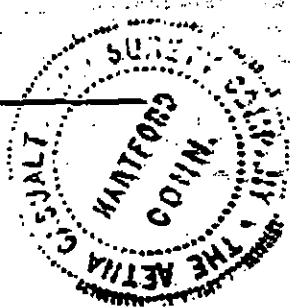
IN WITNESS WHEREOF, the Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its Assistant Vice President this 11 day of December, 1989.

THE ATNA CASUALTY AND SURETY COMPANY

By: 

Ben J. White

Assistant Vice President



STATE OF CONNECTICUT)
) ss.
 County of Hartford)

On this 11th day of December, 1989, before me, the undersigned, a Notary Public in and for said County and State, personally appear Ben J. White known or identified to me to be the Assistant Vice President of THE ATNA CASUALTY AND SURETY COMPANY, the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, 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 first above written.

MICROFILMED

SEP 25 2001


 Notary Public, State of Connecticut
 Residing at: Hartford, Ct.
 My Commission Expires: 3/31/1992



EXHIBIT "A"

LEGAL DESCRIPTION

All the following described real property situated in Custer and Lemhi Counties, State of Idaho, to-wit:

Township 11 N., Range 23 E., B. M., Custer County, Idaho:

Section 14: ✓ Lots 1 and 2, W $\frac{1}{4}$ NW $\frac{1}{4}$

Township 12 N., Range 24 E., B. M., Custer County, Idaho:

Section 16: ✓ Entire Section;

Section 21: ✓ SE $\frac{1}{4}$

Section 22: ✓ Entire Section;

Section 23: ✓ W $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{4}$ SE $\frac{1}{4}$;

Section 28: ✓ NW $\frac{1}{4}$ NE $\frac{1}{4}$

Township 14 N., Range 22 E., B. M., Custer County Idaho: 73-10050

Section 16: ✓ That part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ lying South and West of the Pahsimeroi River;

Section 17: ✓ That part of the NW $\frac{1}{4}$, and the SW $\frac{1}{4}$ NE $\frac{1}{4}$, lying South and West of the Pahsimeroi River, the NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and the SW $\frac{1}{4}$ SE $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$, and all that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, and the SE $\frac{1}{4}$ SE $\frac{1}{4}$, lying South and West of the Pahsimeroi River. 73-10051

Section 18: ✓ E $\frac{1}{4}$ E $\frac{1}{4}$;

Section 20: ✓ SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$;

Section 21: ✓ That part of the N $\frac{1}{4}$ NE $\frac{1}{4}$, the NW $\frac{1}{4}$ NE $\frac{1}{4}$, lying South and West of the Pahsimeroi River, the SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{4}$ SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ SE $\frac{1}{4}$.

Township 14 N., Range 22 E., B. M. Lemhi County, Idaho:

Section 16: That part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ lying North and East of the Pahsimeroi River, the NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and the SW $\frac{1}{4}$ SE $\frac{1}{4}$;

Section 17: That part of the N $\frac{1}{4}$, the N $\frac{1}{4}$ SE $\frac{1}{4}$, and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ lying North and East of the Pahsimeroi River;

Section 21: That part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ NE $\frac{1}{4}$ lying North and East of the Pahsimeroi River.

Township 12 N., Range 22 E., B. M., Custer County, Idaho:

Section 24: Lot 2 ✓

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Township 12 N., Range 21 E., B. M., Custer County, Idaho:

Section 19: Lot 2 ✓

Township 13 N., Range 22 E., B. M., Custer County, Idaho: 73-10048

Section 8: E $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$; ✓

Section 9: W $\frac{1}{4}$ NW $\frac{1}{4}$; ✓

Section 17: NE $\frac{1}{4}$ NE $\frac{1}{4}$; ✓

Township 14 N., Range 21 E., B. M., Custer County, Idaho: 73-10046

Section 13: SW $\frac{1}{4}$ SE $\frac{1}{4}$; ✓

Section 24: NE $\frac{1}{4}$, E $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$; 73-10053

Section 25: NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{4}$ NW $\frac{1}{4}$.

Township 14 N., Range 22 E., B. M., Custer County, Idaho:

Section 18: SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$; ✓

Section 19: Lots 1, 2, and 3, W $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{4}$ NW $\frac{1}{4}$; ✓

Section 4: W $\frac{1}{4}$ SW $\frac{1}{4}$; 73-10048

Section 8: W $\frac{1}{4}$ SE $\frac{1}{4}$; ✓

Section 17: W $\frac{1}{4}$ NE $\frac{1}{4}$. 73-10048

Township 14 N., Range 21 E., B. M., Custer County, Idaho: 73-10046

Section 13: E $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ 73-10052

Township 14 N., Range 22 E., B. M., Custer County, Idaho:

Section 18: Lots 1, 2, 3, and 4, the E $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and the NW $\frac{1}{4}$ SE $\frac{1}{4}$ ✓

Grantor reserves unto itself, its successors and assigns from the foregoing real property described in this Exhibit A one-half (50%) of Grantor's interest in and to the mineral rights appurtenant to said real property and conveys said real property subject to the exceptions set forth in Exhibit C to this Special Warranty Deed.

STATE OF IDAHO
COUNTY OF CUSTER

193877

Instrument No. 204632
Filed for Record on 4-12-00 at 2:05 p.m.
P. 12-18-89

ETHEL A. RECH
CUSTER COUNTY CLERK

Barbara Breckner
Notary Public

State of Idaho
County of Custer

No. 204632

This instrument was filed for record on 4-12-00 at 2:05 p.m. in Book 12-18-89 and duly filed and indexed in the records of Custer County, Idaho.

Alberta S. Scherick
Ex-Officio Auditor

Jessie J. Martin
Notary Public

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EXHIBIT "B"

Pahsimeroi Valley Ranch — Cattle Unit

Water Rights

73-0042: OK

Decree

Amount: 10.0 cfs

Priority: 2-20-1936

Acres: 720.0

Source: Big Spring or
O'Neill Creek

P/D: Private Ditch

P/U: T 14 N, R 22 E (Scoble)

✓ Section 16: SW $\frac{1}{4}$ SW $\frac{1}{4}$ ✓ Section 17: S $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{4}$
NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{4}$ SW $\frac{1}{4}$ ✓ Section 18: E $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ 73-0157: OK

Decree

Amount: 4.4 cfs

Priority: 5-1-1886

Acres: 680.0

Source: Pahsimeroi
River

P/D: Pahsimeroi River

P/U: T 14 N R 22 E (Scoble)

✓ Section 16: SW $\frac{1}{4}$ SW $\frac{1}{4}$ ✓ Section 17: S $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{4}$
NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{4}$ SW $\frac{1}{4}$ ✓ Section 18: E $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ 73-0158: OK

Decree

(Supplemental)

Amount: 5.0 cfs

Priority: 5-1-1888

Acres: 720.0

Source: Big Creek

P/D: Big Creek

P/U: T 14 N R 22 E (Scoble)

Section 16: SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17: S $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{4}$
NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{4}$ SW $\frac{1}{4}$ Section 18: E $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Note: This water can only be used when the ranch
can not obtain 720 inches of water from the
Pahsimeroi River and Spring creek.73-0165: OK

Decree

Amount: 3.2 cfs

Priority: 1-4-1904

Acres: 160.0

Source: Pahsimeroi
River

P/D: T 12 N, R 24 E

Section 32: SW $\frac{1}{4}$ SW $\frac{1}{4}$

P/U: T 12 N, R 24 E (Scoble)

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

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EXHIBIT "B"

Pahsimeroi Valley Ranch - Cattle Unit

Water Rights (cont.)

73-2098:
License

Amount: 2.4 cfs Priority: 11-9-1915
 Acres: 160.0 Source: Mahogany Creek

P/D: T 10 N, R 23 E
 Section 3: SE $\frac{1}{4}$ SE $\frac{1}{4}$

P/U: T 11 N, R 23 E (Goldburg)
 Section 14: NW $\frac{1}{4}$ 160 ac

73-2102:
License

Amount: 2.4 cfs Priority: 7-19-1915
 Acres: 120.0 Source: Big Creek

P/D: T 13 N, R 23 E
 Section 13: NE $\frac{1}{4}$ NW $\frac{1}{4}$

P/U: T 14 N, R 22 E. (Scoble)
 Section 21: NW $\frac{1}{4}$ NW $\frac{1}{4}$ 30, NE $\frac{1}{4}$ NW $\frac{1}{4}$ 20, NW $\frac{1}{4}$
 NE $\frac{1}{4}$ 30, SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40

73-2145:
License

Amount: 6.4 cfs Priority: 8-1-1955
 Acres: 480.0 Source: Groundwater

P/D: T 14 N, R 22 E
 Section 21: NE $\frac{1}{4}$ SW $\frac{1}{4}$

P/U: T 14 N, R 22 E (Scoble)
 Section 16: SW $\frac{1}{4}$ SW $\frac{1}{4}$ 5
 Section 17: SW $\frac{1}{4}$ SE $\frac{1}{4}$ 30, SE $\frac{1}{4}$ SE $\frac{1}{4}$ 20
 Section 20: NE $\frac{1}{4}$ 110, NE $\frac{1}{4}$ SE $\frac{1}{4}$ 15
 Section 21: SW $\frac{1}{4}$ NE $\frac{1}{4}$ 30, NW $\frac{1}{4}$ 160, NE $\frac{1}{4}$ SW $\frac{1}{4}$
 40, NW $\frac{1}{4}$ SW $\frac{1}{4}$ 40, NW $\frac{1}{4}$ SE $\frac{1}{4}$ 30

73-2155:
License

Amount: 6.4 cfs Priority: 2-27-1963
 Acres: 320.0 Source: Pahsimeroi

P/D: T 14 N, R 22 E
 Section 27: SE $\frac{1}{4}$ NW $\frac{1}{4}$

P/U: T 14 N, R 20 E (Scoble)
 Section 20: N $\frac{1}{4}$ NE $\frac{1}{4}$ 80, SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40, NE $\frac{1}{4}$ NW $\frac{1}{4}$
 40
 Section 21: SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40, N $\frac{1}{4}$ SW $\frac{1}{4}$ 80, NW $\frac{1}{4}$ SE $\frac{1}{4}$
 40

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EXHIBIT "B"

Pahsimeroi Valley Ranch - Cattle Unit

Water Rights (cont.)

74-70211
Permit
(Lapsed)

Amount: 4+8----cfs Priority: 2-28-1973
Acres: 240+0 Source: Groundwater

P/D: T 14 N, R 22 E
Section 16: SE $\frac{1}{4}$ NW $\frac{1}{4}$

P/U: T 14 N, R 22 E (Scoble)
Section 1a: NW $\frac{1}{4}$ 160, N $\frac{1}{4}$ SW $\frac{1}{4}$ 80

73-70221 *OK*
License

Amount: 2.76 cfs Priority: 2-28-1973
Acres: 220.0 Source: Groundwater

P/D: T 14 N, R 22 E
Section 17: NW $\frac{1}{4}$ SW $\frac{1}{4}$

P/U: T 14 N, R 22 E (Scoble)
Section 17: SW $\frac{1}{4}$ 125
Section 18: NE $\frac{1}{4}$ NE $\frac{1}{4}$ 5, SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40, NE $\frac{1}{4}$ SE $\frac{1}{4}$ 40, SE $\frac{1}{4}$ SE $\frac{1}{4}$ 10

73-70341
Permit
(Lapsed)

Amount: 4+80----cfs Priority: 7-9-1976
Acres: Source: Groundwater

P/D: T 14 N, R 22 E
Section 16: SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 21: NE $\frac{1}{4}$ NW $\frac{1}{4}$

73-70381 *OK*
Permit

Amount: 0.55 cfs Irrig. Priority: 1-18-1978
 0.04 cfs Dom. Source: Groundwater
Acres: 32.0

P/D: T 14 N, R 22 E
Section 17: SW $\frac{1}{4}$ SW $\frac{1}{4}$

P/U: T 14 N, R 22 E (Scoble)
Section 17: SW $\frac{1}{4}$ SW $\frac{1}{4}$ 3
Section 18: SE $\frac{1}{4}$ SE $\frac{1}{4}$ 29

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EXHIBIT "B"

Fahsimeroi Valley Ranch - Sheep Unit

Water Rights

Ureasti and Grouse Creek³Idaho License, Permit or Application Number73-2114:
License

OK

Amount: 0.7 cfs Priority: 8-23-1916
Acres: 15.0 Source: Grouse CreekP/D: T 13 N, R 22 E
Section 17: NE $\frac{1}{4}$ SW $\frac{1}{4}$ P/U: T 13 N, R 22 E (Grouse Creek)
Section 8: SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ 25, NE $\frac{1}{4}$ SE $\frac{1}{4}$ 5
Section 17: NE $\frac{1}{4}$ NE $\frac{1}{4}$ 573-2115:
License

OK

Amount: 0.5 cfs Priority: 9-16-1916
Acres: 25.0 Source: Grouse CreekP/D: T 13 N, R 22 E
Section 8: NE $\frac{1}{4}$ SE $\frac{1}{4}$ P/U: T 13 N, R 22 E (Grouse Creek)
Section 9: NW $\frac{1}{4}$ NW $\frac{1}{4}$ 5, SW $\frac{1}{4}$ NW $\frac{1}{4}$ 2073-2122:
License

NO

Amount: 0.75 cfs Priority: 10-6-1917
Acres: 17.0 Source: Grouse CreekP/D: T 13 N, R 22 E
Section 17: NE $\frac{1}{4}$ SW $\frac{1}{4}$ P/U: T 13 N, R 22 E (Grouse Creek)
Section 8: NW $\frac{1}{4}$ SE $\frac{1}{4}$ 10, SW $\frac{1}{4}$ SE $\frac{1}{4}$ 20 ^{NO note in West}
Section 17: NW $\frac{1}{4}$ NE $\frac{1}{4}$ 7, SW $\frac{1}{4}$ NE $\frac{1}{4}$ ^{NO NO}-02137
73-2137:
License

NO

Amount: 0.4 cfs Priority: 4-30-1947
Acres: 20.0 Source: Grouse CreekP/D: T 13 N, R 22 E
Section 17: SW $\frac{1}{4}$ SW $\frac{1}{4}$ ^{NO}P/U: T 13 N, R 22 E (Grouse Creek)
Section 8: SE $\frac{1}{4}$ SE $\frac{1}{4}$ 5 [✓]
Section 17: SW $\frac{1}{4}$ NE $\frac{1}{4}$ 15 ^{NO}

1.) The flow of Grouse Creek was stopped during the earthquake and has not been re-established as of this date.

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EXHIBIT "B"

Pahsimeroi Valley Ranch - Sheep Unit

Water Rights (cont.)

73-21641
License

OK

Amount: 5.0 cfs Priority: 10-2-1966
 Acres: 368.0 Source: Groundwater

P/D: T 14 N, R 21 E
 Section 24: NW 1/4 NE 1/4

P/U: T 14 N, R 21 E (Uresti)
 Section 13: SW 1/4 SE 1/4 40
 Section 24: NE 1/4 177, NE 1/4 NW 1/4 38, SE 1/4 NW 1/4 34

T 14 N, R 22 E (Uresti)
 Section 18: SE 1/4 SW 1/4 38, SW 1/4 SE 1/4 40
 Section 19: NW 1/4 NW 1/4 (lot 1) 39

73-70001
License

OK

Amount: 3.0 cfs Priority: 10-26-1967
 Acres: 232.0 Source: Groundwater

P/D: T 14 N, R 21 E
 Section 24: NW 1/4 NE 1/4

P/U: T 14 N, R 21 E (Uresti)
 Section 24: NE 1/4 SW 1/4 36

P/U: T 14 N, R 22 E (Uresti)
 Section 19: NW 1/4 NE 1/4 40, SW 1/4 NE 1/4 40, NE 1/4 NW 1/4 40, S 1/4 NW 1/4 76

Note: The maximum rate of diversion under this license when combined with License No. 73-2164 shall not exceed 7.6 cfs.

Bratten

Idaho License, Permit or Application Number

73-20001
Permit
(Lapsed)

Amount: 2.56 cfs Priority: 4-21-1975
 Acres: unknown Source: Groundwater

P/D: T 13 N, R 22 E
 Section 18: NW 1/4 SE 1/4

P/U: T 13 N, R 22 E (Bratten)
 Section 13: SW 1/4 and SE 1/4
 Section 18: NE 1/4 NW 1/4 and SW 1/4

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EXHIBIT "C"

1. Rights or claims of parties in possession not shown by the public records.
2. Easements, or claims of easements, not shown by the public records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, and any facts which a correct survey and inspection of the premises would disclose and which are not shown by the public records.
4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires of record for value this estate or interest or mortgage thereon covered by this Commitment.
6. General taxes for the year 1989 and subsequent years, which are an accruing lien not yet due and payable.
7. The effect of and conditions contained in License Agreement recorded October 13, 1983, as Instrument No. 169436, records of Lemhi County, Idaho, and recorded October 13, 1983, as Instrument No. 169260, records of Custer County, Idaho.
8. The effect of and conditions contained in that certain Oil and Gas Lease between Joe Scoble and Lillie Scoble, husband and wife, and Robert D. St. John, recorded May 14, 1978, as Instrument No. 146488, records of Custer County, Idaho, and recorded March 10, 1978, as Instrument No. 139418, records of Lemhi County, Idaho. Assigned to Amoco Production Company, by Assignment recorded October 24, 1979, as Instrument No. 152097 records of Custer County, Idaho, and recorded October 22, 1979, as Instrument No. 149273, records of Lemhi County, Idaho.
9. The effect of and conditions contained in that certain Oil and Gas Lease between Joe Scoble and Lillie D. Scoble, husband and wife, and Robert D. St. John, recorded March 27, 1978, as Instrument No. 139514; Assigned to Amoco Production Company, by Assignment recorded October 22, 1979, as Instrument No. 149273, records of Lemhi County, Idaho. (Affects the SW1/4 NW1/4 the NW1/4SW1/4 of Section 16, T. 14 N., R. 22 E., Q.M., only.)
10. The effect of and conditions contained in that certain Oil and Gas Lease between the State of Idaho and Robert D. St. John, recorded March 9, 1979, as Instrument No. 145112; Assigned to Amoco Production Company by Assignment recorded October 3, 1979, as Instrument No. 148901, records of Lemhi County, Idaho, and Instrument No. 150061, records of Custer County, Idaho. (Affects the SW1/4SE1/4 and the SE1/4SW1/4 of Section 16, T. 14 N., R. 22 E., Q.M., only.)
11. Subject to the provisions of Section 58-406, Idaho Code, as amended by Chapter 44, 1951 Session Laws: which grants over all lands belonging to the State a right of way for ditches constructed by authority of the United States; and to the provisions of Section 47-701, Idaho Code, reserving to the State all Mineral Rights in lands sold subsequent to the 6th day of May, 1923, including sand and gravel, recorded October 11, 1937, in Book 34, at Page No. 136 and November 19, 1932, in Book 44, at Page No. 15, records of Lemhi County, Idaho and February 14, 1966, as Instrument No. 120825 and 120826, records of Custer County, Idaho.
12. Easement to the United States of America, Department of the Interior, Bureau of Land Management for right-of-way for pipeline and incidental purposes, recorded December 29, 1964, in Book 36, at Page No. 295, records of Custer County, Idaho.
13. The effect of and conditions contained in Assignment Affecting Record Title to Oil and Gas Lease, recorded September 11, 1981, as Instrument No. 160351, records of Custer County, Idaho.

CROF

EXHIBIT "C"

193877

14. The effect of and conditions contained in the certain Oil and Gas Lease, recorded March 1, 1978, as Instrument No. 143364. Assigned to Amoco production company, by Assignment recorded March 13, 1979, as Instrument No. 143721.

15. The right, title and interest of the public in and to those portions of the above described premises falling within the bounds of roads or highways, dedicated and or otherwise used by the public, and subject to all easements and restrictions attendant and pertinent to said highways.

16. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing issuance thereof; water rights, claims or title to water.

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EXHIBIT "D"

CATTLE UNIT
BLM PERMITS & STATE LEASESPermits - BLM

	BLM Record #	Use Dates	# Cattle	AUM's
Lower Goldburg	4512	5/15-6/15	196	196
*Lower Goldburg	4512	5/16-6/15	42	42
				<u>238</u>
Goldburg	4515	5/16-6/15	280	280
Goldburg	4515	6/16-7/05	196	131
Goldburg	4515	6/16-7/15	76	76
				<u>487</u>
Upper Pahsimeroi	4517	6/16-11/30	518	2,849
*Upper Pahsimeroi	4517	6/16-11/30	24	132
				<u>132</u>
			TOTAL AUM's	<u>2,981</u>

State Lease

	Acres	AUM's
Goldburg	6,428.56	257
*Lower Goldburg	640.00	42
*Upper Pahsimeroi	<u>1,280.00</u>	<u>132</u>

TOTAL LEASE ACRES	<u>8,348.56</u>
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* Exchange of Use Lands

SEP 25 2001

193877

EXHIBIT "D"

SHEEP UNIT
BLM, FOREST PERMITS & STATE LEASESPermits - BLM

	BLM Record #	Use Dates	# Sheep	AUM's
Grouse Creek	4507	4/26-6/15	2000	667
Grouse Creek	4507	7/16-9/30	212	106
*Grouse Creek	4507	7/16-9/30	268	134
Grouse Creek	4507	11/1-1/15	500	250
Grouse Creek	4507	11/16-1/15	2000	800
				1957
Pines Elkhorn	4514	10/1-11/15	1000	300
*Pines Elkhorn	4514	11/16-11/20	1000	33
				333
Dry Creek	4520	6/16-6/30	1000	100
Dry Creek	4520	7/01-7/15	2000	200
Dry Creek	4520	9/01-9/30	820	164
*Dry Creek	4520	9/01-9/30	1180	236
				700
TOTAL BLM AUM's				2900

Permits - Forest Service

Rock Springs	6/16-7/15	500	100
Dry Creek	7/16-8/31	1,000	300
Long Lost	7/16-8/31	960	288
TOTAL F.S. AUM's			688

TOTAL FEDERAL AUM's 3,588State Leases

	Acres
Grouse Creek	2,560.00
Pines Elkhorn	640.00
Dry Creek	1,129.80
TOTAL STATE LEASE ACRES	4,329.80

* Exchange of use lands

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 73-10046

200 MAR 13 PM 12:51
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: SULPHUR CREEK LIVESTOCK
C/O JUDD WHITWORTH
HC 62 BOX 2120
MAY, ID 83253

SOURCE: SULPHUR CREEK TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 01/01/1900

POINT OF DIVERSION:	T14N R21E S13	NWNE	(Instream Ending Point)	Within Custer County
		SWNWSE	(Instream Beginning Point)	
	S24	NWNE	(Instream Ending Point)	
		SWNE	(Instream Beginning Point)	
		SWNE	(Instream Ending Point)	
		SWNE	(Instream Beginning Point)	
	S25	NESW	(Instream Ending Point)	
		SWNW	(Instream Beginning Point)	

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS

PLACE OF USE:	Stockwater	Within Custer County
	T14N R21E S13	NWNE
		SWNE
	S24	SENW
		SWSW
	S25	NWNW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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SEP 25 2001

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

2000 MAR 13 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 73-10046

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 73-10046 was mailed
on March 13, 2000, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

USDI BLM
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

SULPHUR CREEK LIVESTOCK
C/O JUDD WHITWORTH
HC 62 BOX 2120
MAY, ID 83253

DIANA DELANEY
Chief Deputy Clerk

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SEP 25 2001

CERTIFICATE OF MAILING

PAGE 1
03/13/00



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 15, 2001

SULPHUR CREEK LIVESTOCK
PO BOX 151
MAY ID 83253

RE: Change of Ownership for Water Rights ~~73-10046~~, 73-10048, 73-10050,
73-10051, 73-10052, 73-10053

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.

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

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

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SEP 25 2001