

DOUGLAS A. DUCEY
Governor



THOMAS BUSCHATZKE
Director

ARIZONA DEPARTMENT of WATER RESOURCES
1110 W. Washington Street, Suite 310
Phoenix, Arizona 85007
602.771.8621
azwater.gov

April 27, 2020

The Shalom Trust
Attn: Luz Andraux, Trustee
1440 W. Ajo Way
Tucson, AZ 85713

RE: Reissued Certificate of Stockpond Water Right (Reissued Certificate) No. 38-18431.0001.

Certificate Holder:

It has come to the attention of the Arizona Department of Water Resources (Department) that the above-referenced Reissued Certificate was never issued. The Department apologizes for any inconvenience this may have caused you.

Enclosed is the Reissued Certificate for the above-referenced stockpond claim filed pursuant to Title 45, Chapter 1, Article 10, Arizona Revised Statutes (A.R.S.).

If any Certificate of Stockpond Water Right is assigned or transferred to another person or entity or the address of the holder changes, the Department must be notified pursuant to A.R.S. § 45-164.

The law provides that your certificated stockpond may not be increased in capacity, must be used solely for the watering of livestock or wildlife and cannot be used primarily for fishing or the culturing of fish. In this regard, once every five years and at other appropriate times, the Director of the Department will require that you furnish a statement of compliance with the statute. You will be contacted at the time this statement is due.

Please do not hesitate to contact me at (602) 771-8619 or toll free (within Arizona only) at 1-800-352-8488 if you require further information or assistance.

Sincerely,

Sylvia Valdez
Surface Water Permitting Unit
Water Planning and Permitting Division

Enclosure

**CERTIFICATE OF STOCKPOND WATER RIGHT NO. 38-18431.0001
(Reissued)**

This is to Certify, that The Shalom Trust of Tucson, State of Arizona, has provided evidence to the Arizona Department of Water Resources that they are successors in interest of William Ralph Cowan in Certificate of Stockpond Water Right No. 38-18431.0000 which has a date of priority of February 28, 1935.

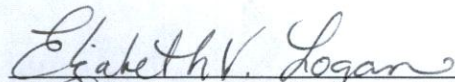
The stockpond is known as Homestead; shall be used for stockwatering and wildlife purposes; and has a capacity of 6.1 acre-feet.

The source of water supply is an unnamed wash, a tributary to Whitewater Draw, within the Whitewater Draw watershed.

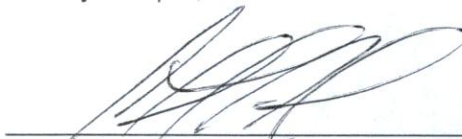
The stockpond is located within the Northwest quarter of the Southwest quarter (NW¼SW¼), Section 10, Township 21 South, Range 25 East, Gila and Salt River Base and Meridian, Cochise County, Arizona.

The right to the use of water is restricted to the place of use and for the purposes described previously, and is subject to all prior existing water rights and all water rights as described in Arizona Revised Statute § 45-272(B).

WITNESS the seal and signature of the Deputy Assistant Director
Arizona Department of Water Resources,
affixed this 27th day of April, 2020.



Elizabeth V. Logan, Manager (Attest)
Surface Water Permitting Unit



Carol M. Ward, Deputy Assistant Director
Arizona Department of Water Resources

The Arizona Department of Water Resources shall be notified of any change of address for the above named person(s) or if ownership of the water right or of the land at the location of the water right is conveyed to another person(s), pursuant to Arizona Revised Statute § 45-164(B).

DOUGLAS A. DUCEY
Governor



THOMAS BUSCHATZKE
Director

ARIZONA DEPARTMENT of WATER RESOURCES
1110 W. Washington St. Suite 310
Phoenix, Arizona 85007-2105
602-771-8621
azwater.gov

STATEMENT OF CONTINUING USE

HOLDER NAME: THE SHALOM TRUST ADDRESS: 1440 W AJO WAY
REGISTRATION NUMBER: 38-18431.1 TUCSON, AZ 85713
PRIORITY DATE: 2/28/1935
CONSTRUCTION DATE: 2/28/1935 LANDOWNER: PRIVATE
STOCKPOND NAME: HOMESTEAD
HEIGHT: 8.00 FT LENGTH: 380.00 FT SHAPE: HALF CIRCL CAPACITY: 6.10 AF
USES: WILDLIFE SOURCE: UNNAMED WASH
STOCK WATERSHED: WHITE WATER DRAW
ANNUAL USE COUNTY: COCHISE

CWRS ISSUED DATE: 06/25/1985

POINT OF DIVERSION: QUARTERS SECTION TOWNSHIP RANGE
NW SW 10 21 S 25 E
PLACE OF USE: QUARTERS SECTION TOWNSHIP RANGE
NW SW 10 21 S 25 E

RECEIVED

MAR 1 2017

Surface Water Division

STATEMENT OF CONTINUING USE

I, (We), THE SHALOM TRUST, hereby declare, under penalty of perjury, that the stockpond water associated with Application No. 38-18431.1 is continuing to be used solely for watering livestock or wildlife, that the pond is not used primarily for fishing or the culturing of fish, and has not increased in capacity.

NAME

Trustee
LUZ ANDRAUX / LDA SHALOM TRUST
(Please Print)

SIGNATURE

DATED

FEB

Month

27

Day

2007

Year

ADDRESS

1440 W. AJO WAY TUCSON AZ 85713

DOUGLAS A. DUCEY
Governor



THOMAS BUSCHATZKE
Director

ARIZONA DEPARTMENT of WATER RESOURCES

1110 W. Washington St. Suite 310
Phoenix, Arizona 85007-2105
602-771-8621
azwater.gov

RECEIVED

MAR 1 2017

February 17, 2017

THE SHALOM TRUST
1440 W AJO WAY
TUCSON, AZ 85713

Surface Water Division

RE: Statement of Continuing Use for Certificate of Stockpond Water Right No. 38-18431.1

THE SHALOM TRUST:

Records of the Arizona Department of Water Resources (Department) show that you hold the above-referenced stockpond certificate pursuant to the Stockpond Registration Act of 1977.

In accordance with Arizona Revised Statutes (A.R.S.) § 45-276 (A), once every five years, holders of certificated stockponds are required to furnish the Arizona Department of Water Resources with information pertaining to the continuing use of certificated stockponds. This information must include a signed statement, under penalty of perjury, that the stockpond is continuing to be used solely for the watering of livestock or wildlife, that the stockpond is not used primarily for fishing or the culture of fish, and that the stockpond has not been increased in volume.

At this time, the Department asks that you review the enclosed Statement of Continuing Use (SCUR) form showing the most current information contained in your certificate. Please clearly make any necessary corrections, sign the SCUR at the bottom of the form, and return it to the Department within thirty (30) days from the date of this letter. If the land where the stockpond is located has been sold, transferred, or assigned to another party, the claim must be assigned to the current landowner. If this is the case, please contact the Department and you will be informed as to how to proceed.

The Department will be conducting random inspections of stockponds. If your stockpond is to be inspected, you will be notified by a Notice of Inspection letter. Please note that per A.R.S. § 45-276 (B), "The Director shall, after notice to the certificate holder and an opportunity for an administrative hearing, revoke any certificate upon finding that the water has ceased to be used solely for watering livestock or wildlife, that the pond is used primarily for fishing or the culturing of fish or that the stockpond has been increased in capacity."

Please do not hesitate to contact me at (602) 771-8621 or toll free (within Arizona only) at 1-800-352-8488 if you require further information or assistance.

Kevin Hadder
Surface Water Permitting Unit
Engineering and Permitting Division

ENCLOSURES

DOUGLAS A. DUCEY
Governor



THOMAS BUSCHATZKE
Director

ARIZONA DEPARTMENT of WATER RESOURCES

1110 W. Washington St. Suite 310
Phoenix, Arizona 85007-2105
602-771-8621
azwater.gov

COPY

February 17, 2017

THE SHALOM TRUST
1440 W AJO WAY
TUCSON, AZ 85713

RE: Statement of Continuing Use for Certificate of Stockpond Water Right No. 38-18431.1

THE SHALOM TRUST:

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Please do not hesitate to contact me at (602) 771-8621 or toll free (within Arizona only) at 1-800-352-8488 if you require further information or assistance.

Kevin Hadder
Surface Water Permitting Unit
Engineering and Permitting Division

ENCLOSURES

DOUGLAS A. DUCEY
Governor



THOMAS BUSCHATZKE
Director

ARIZONA DEPARTMENT of WATER RESOURCES
1110 W. Washington St. Suite 310
Phoenix, Arizona 85007-2105
602-771-8621
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COPY

STATEMENT OF CONTINUING USE

HOLDER NAME: THE SHALOM TRUST **ADDRESS:** 1440 W AJO WAY
REGISTRATION NUMBER: 38-18431.1 TUCSON, AZ 85713
PRIORITY DATE: 2/28/1935
CONSTRUCTION DATE: 2/28/1935 **LANDOWNER:** PRIVATE
STOCKPOND NAME: HOMESTEAD
HEIGHT: 8.00 FT **LENGTH:** 380.00 FT **SHAPE:** HALF CIRCL **CAPACITY:** 6.10 AF
USES: WILDLIFE **SOURCE:** UNNAMED WASH
STOCK **WATERSHED:** WHITE WATER DRAW
ANNUAL USE **COUNTY:** COCHISE
CWRS ISSUED DATE: 06/25/1985
POINT OF DIVERSION:

QUARTERS	SECTION	TOWNSHIP	RANGE
NW SW	10	21 S	25 E

PLACE OF USE:

QUARTERS	SECTION	TOWNSHIP	RANGE
NW SW	10	21 S	25 E

STATEMENT OF CONTINUING USE

I, (We), THE SHALOM TRUST, hereby declare, under penalty of perjury, that the stockpond water associated with Application No. 38-18431.1 is continuing to be used solely for watering livestock or wildlife, that the pond is not used primarily for fishing or the culturing of fish, and has not increased in capacity.

NAME _____
(Please Print)

SIGNATURE _____

DATED _____
Month Day Year

ADDRESS _____

DOUGLAS A. DUCEY
Governor



THOMAS BUSCHATZKE
Director

ARIZONA DEPARTMENT of WATER RESOURCES
1110 West Washington Street, Suite 310
Phoenix, Arizona 85007
602.771.8621
azwater.gov

February 14, 2017

The Shalom Trust
Attn: Luz Divina Andraux
1440 West Ajo Way
Tucson, Arizona 85713

RE: Request for Assignment of Certificate of Stockpond Water Right No. 38-18431.0001.

From: William R. Cowan
To: The Shalom Trust

Applicant:

The above-referenced Request for Assignment has been completed as required by Arizona Revised Statutes §§ 45-163 and 45-164. The official records of the Arizona Department of Water Resources have been revised to indicate your name and address as the current holder of the above-referenced surface water filing.

Your credit card was charged \$75.00. Thank you for your payment. Enclosed is your payment receipt.

Please do not hesitate to contact me at (602) 771-8591 or toll free (within Arizona only) at 1-800-352-8488 if you require further information or assistance.

Sincerely,

A handwritten signature in cursive script that reads "Elizabeth V. Logan".

Elizabeth V. Logan, Manager
Surface Water Permitting Unit, Water Planning and Permitting Division

REQUEST FOR ASSIGNMENT OF SURFACE WATER FILINGS

This Request for Assignment form must be used to assign an application, permit, certificate or statement of claim for surface water rights. A Request for Assignment form must be filed when there is a transfer of ownership or change in name from a prior owner to a new owner. In the case of permits and certificates, an assignment will result in re-issuance of the permit or certificate. If a surface water filing is being assigned to more than one new owner, a separate Request for Assignment form must be completed for each new owner. **Please refer to the enclosed instructions for completing this form and a description of the filing fee and documentation that must be provided. Failure to provide all of the information requested on this form is cause for the Request for Assignment to be returned.**

1. REQUIRED FILING FEE AND DOCUMENTATION. Failure to enclose the filing fee or any required documentation is cause for the Request for Assignment to be returned.

A. A FILING FEE of \$75.00 for each surface water filing being assigned. Payment may be made by cash, check, or credit card. If you wish to pay by credit card, please contact the Surface Water Permitting Unit at 602-771-8621. Checks should be made payable to the Arizona Department of Water Resources. Payments in cash can only be accepted in person at the Department's offices located at 1110 W. Washington St., Suite 310, Phoenix, AZ 85007.

B. A COPY OF RECORDED DEED showing land ownership in the name of the new owner of the land at the place of use listed in the surface water filing.

C. A COPY OF COUNTY ASSESSOR MAP that shows the place of use listed in the surface water filing.

D. A CHAIN OF TITLE OF OWNERSHIP if the prior owner is not the current holder of the surface water filing as shown in the Department's records, or if the prior owner is not available to sign the Request for Assignment form. The chain of title consisting of recorded warranty deeds must begin with the current holder of the surface water filing as shown in the Department's records and end with the new owner.

E. A COPY OF LEASE AND/OR PERMIT in the name of the new owner if the land at the place of use listed in the surface water filing is on land owned by a state or federal agency.

F. AN ALLOTMENT MAP if the land at the place of use listed in the surface water filing is located on land owned by a federal agency.

G. CHANGE OF NAME documents that show the name change from the current holder of the surface water filing to the new owner of the surface water filing.

H. ATTACHMENT A if the Request for Assignment is for two or more surface water filings or if the Request for Assignment is for a partial assignment.

2. REGISTRY NUMBER OF THE SURFACE WATER FILING BEING ASSIGNED: 55-619086/55-619089
(Complete Attachment A if two or more filings are being assigned to the same entity)

3. TYPE OF ASSIGNMENT: (Check the appropriate box)

☒ Total Assignment ☐ Partial Assignment (Complete Attachment A)

4. OWNERSHIP INFORMATION: (Current mailing addresses and telephone numbers must be included)

PRIOR OWNER(S)/ASSIGNOR(S)

Name _____

Address _____

Phone No. () _____

Signature _____

(Print or type name of prior owner or representative)

Date Signed _____

NEW OWNER(S)/ASSIGNEE(S)

Name THE SHALOM L DA TRUST / LUZ ANDRAX

Address 1440 W. AJO WAY

TUCSON AZ 85713

Phone No. (520) 358 9582

Signature _____

LUZ ANDRAX TRUSTEE
(Print or type name of new owner or representative)

1/6/2017
Date Signed

INSTRUCTIONS FOR COMPLETING REQUEST FOR ASSIGNMENT OF SURFACE WATER FILINGS

The Arizona Department of Water Resources (Department) will only process requests for assignment of surface water filings (applications, permits, certificates, or statements of claim) submitted on the Request for Assignment form with all of the requested information. Instructions for completing the Request for Assignment form are provided below.

1. The filing fees and documentation described below must be submitted with the Request for Assignment form. **Failure to enclose the proper fees and documentation is cause for the Request for Assignment to be returned.** Please provide the following:
 - A. A filing fee of \$75.00 for each surface water filing being assigned. See Arizona Administrative Code R12-15-104. Payment may be made by cash, check, or credit card. If you wish to pay by credit card, please contact the Surface Water Permitting Unit at 602-771-8621. Checks should be made payable to the Arizona Department of Water Resources. Payments in cash can only be accepted in person at the Department's offices located at 1110 W. Washington Street, Suite 310, Phoenix, AZ 85007.
 - B. A copy of a recorded deed showing land ownership in the name of the new owner of the land at the place of use listed in the surface water filing. A recorded deed can be obtained from the county recorder's office where the place of use listed in the surface water filing is located.
 - C. A copy of a county assessor map that shows the place of use listed in the surface water filing. A county assessor map can be obtained from the county assessor's office where the place of use listed in the surface water filing is located.
 - D. A chain of title of ownership if the prior owner is not the current holder of the surface water filing as shown in the Department's records, or if the prior owner is not available to sign the Request for Assignment form. The chain of title must begin with the current holder of the surface water filing as shown in the Department's records and end with the new owner. A chain of title may be obtained from the county recorder's office where the place of use listed in the surface water filing is located or through a title agency.
 - E. A copy of lease and/or permit in the name of the new owner if the land at the place of use listed in the surface water filing is located on land owned by a state or federal agency. These copies may be obtained through the state or federal agency where the place of use listed in the surface water filing is located. For a surface water filing where the water is being put to beneficial use on public land, the Department's processing of a Request for Assignment form shall not be construed as a determination by the Department of whether it is the landowner, a lessee or a permittee that is entitled by law to hold a water right on the public land.
 - F. An allotment map if the land at the place of use listed in the surface water filing is located on land owned by a federal agency. The allotment map may be obtained from the federal agency where the place of use listed in the surface water filing is located.
 - G. Change of name documents that show the name change from the current holder of the surface water filing as shown in the Department's records to the new owner of the surface water filing
 - H. A copy of Attachment A if the Request for Assignment is for two or more surface water filings or if the Request for Assignment is for a partial assignment. The total quantities of water in the assignments to the new owners cannot exceed the quantity of water listed in the surface water filing being assigned.
2. Fill in the registry number of the surface water filing being assigned. If more than one surface water filing is being assigned, complete Attachment A to the Request for Assignment form. Write "See Attachment A" on the Request for Assignment form to indicate that more than one surface water filing is being assigned and submit it with the Request for Assignment form.
3. Indicate whether the Request for Assignment is for the entire surface water filing or for a portion of a surface water filing. Select Total Assignment if the current holder will retain no portion of the surface water filing following completion of the assignment. Select Partial Assignment if the current holder intends to retain some portion of the surface water filing or is assigning a portion to more than one new owner. For a partial assignment, complete Attachment A and submit it with the Request for Assignment form.
4. The Request for Assignment form must be signed by both the prior owner and the new owner. If the signature of the prior owner cannot be obtained, then the new owner will be required to provide a chain of title as described above. If a representative is signing on behalf of the prior owner or new owner, then documentation must be provided to establish that the representative is authorized to execute the Request for Assignment form.

JAN 10 2017

ADWR

ATTACHMENT A

REQUEST FOR ASSIGNMENT OF SURFACE WATER FILINGS

Attachment A must be completed if the Request for Assignment involves two or more surface water filings or if the Request for Assignment is for a partial assignment of a surface water filing. For a total assignment of a surface water filing, it is only necessary to provide the registry number of the surface water filing and to check the "Total Assignment" box. For a partial assignment of a surface water filing, check the "Partial Assignment" box and use the existing surface water filing to indicate the type of beneficial use, the quantity of use associated with that beneficial use, and the location of the place of use. Provide photocopies of this form as needed for additional surface water filings or multiple uses for a partial assignment.

Registry number of surface water filing _____

- ☐ Total Assignment
☐ Partial Assignment - Please provide the following information:

Use _____ Quantity _____ $\frac{1}{4}$ _____ $\frac{1}{4}$ _____, Section _____, Township _____, N/S, Range _____ E/W; Parcel I.D. No. _____
Use _____ Quantity _____ $\frac{1}{4}$ _____ $\frac{1}{4}$ _____, Section _____, Township _____, N/S, Range _____ E/W; Parcel I.D. No. _____
Use _____ Quantity _____ $\frac{1}{4}$ _____ $\frac{1}{4}$ _____, Section _____, Township _____, N/S, Range _____ E/W; Parcel I.D. No. _____

Registry number of surface water filing _____

- ☐ Total Assignment
☐ Partial Assignment - Please provide the following information:

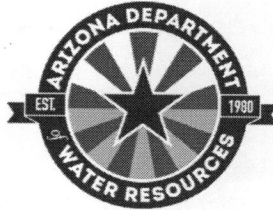
Use _____ Quantity _____ $\frac{1}{4}$ _____ $\frac{1}{4}$ _____, Section _____, Township _____, N/S, Range _____ E/W; Parcel I.D. No. _____
Use _____ Quantity _____ $\frac{1}{4}$ _____ $\frac{1}{4}$ _____, Section _____, Township _____, N/S, Range _____ E/W; Parcel I.D. No. _____
Use _____ Quantity _____ $\frac{1}{4}$ _____ $\frac{1}{4}$ _____, Section _____, Township _____, N/S, Range _____ E/W; Parcel I.D. No. _____

Registry number of surface water filing _____

- ☐ Total Assignment
☐ Partial Assignment - Please provide the following information:

Use _____ Quantity _____ $\frac{1}{4}$ _____ $\frac{1}{4}$ _____, Section _____, Township _____, N/S, Range _____ E/W; Parcel I.D. No. _____
Use _____ Quantity _____ $\frac{1}{4}$ _____ $\frac{1}{4}$ _____, Section _____, Township _____, N/S, Range _____ E/W; Parcel I.D. No. _____
Use _____ Quantity _____ $\frac{1}{4}$ _____ $\frac{1}{4}$ _____, Section _____, Township _____, N/S, Range _____ E/W; Parcel I.D. No. _____

DOUGLAS A. DUCEY
Governor



THOMAS BUSCHATZKE
Director

ARIZONA DEPARTMENT of WATER RESOURCES
1110 West Washington Street, Suite 310
Phoenix, Arizona 85007
602.771.8500
azwater.gov

December 28, 2016

Shalom Trust
Luz Divina Andreaux, Trustee
1440 W. Ajo Way
Tucson, AZ 85713

RE: Assignment (Conveyance) of Certificate of Stockpond Water Right No. 38-18431

Property Owner:

The Arizona Department of Water Resources (Department) has information indicating that the land on which the above-referenced certificate (copy enclosed) is located has been sold or transferred to you. The described place of use listed on the certificate is described as being located within the Northwest quarter of the Southwest quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$), Section 10, Township 21 South, Range 25 East.

Arizona Revised Statute § 45-164 of the Public Water Code provides that active records of the Department remain current and correct. In order to establish the correct and current holder of the above referenced filing, please complete the enclosed Request for Assignment form. As requested by instructions on the form, please include evidence of the change in land ownership or holder of the lease or special use permit by including a copy of a recorded deed or a chain of title from the holder of the certificate to the current property owner, a lease or special use permit transfer agreement, or similar documentation. Also, please provide a legal description of the land involved in the transaction (including a parcel number if available) and a county assessor or allotment map depicting that land.

If possible, the Request for Assignment form should be signed by both the assignee and the assignor, but at a minimum must be signed by the assignee. A \$75.00 filing fee must be submitted with the Request for Assignment form for each water right or claim being assigned. Please return the Request for Assignment form, proper remittance and all documentation to the Department within the next thirty (30) days.

Please do not hesitate to contact me at (602) 771-8612 or toll free (within Arizona only) at 1-800-352-8488 if you require further information or assistance.

Sincerely,


Kevin Hadder
Surface Water Permitting
Water Planning & Permitting Division

ENCLOSURES

RECEIVED
JAN 10 2017
ADWR



Certificate of Water Right

County of Cochise

STATE OF ARIZONA DEPARTMENT OF WATER RESOURCES

This is to certify that pursuant to the provisions of
Title 45, Chapter 1, Article 7, Arizona Revised Statutes

William Ralph Cowan
Cloverdale Ranch
Animas, New Mexico 88020

is granted a

WATER RIGHT FOR A STOCKPOND

*with a capacity of 6.1 acre feet on an unnamed wash
in the Whitewater Draw watershed. The water right has a date
of priority of February, 1935. The stockpond is located within the*

NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 10 T21S R25E GSRB&M

Homestead

*The use of this stockpond shall be for stockwatering and wildlife
purposes in accordance with the laws of the State of Arizona and
shall be subject to all water rights described in Section 45-272,
Subsection B, Arizona Revised Statutes, and prior water rights.*

CERTIFICATE NO. 38 - 18431

is granted this 25 day of June, 1985

ARIZONA DEPARTMENT OF WATER RESOURCES

Wesley E. Starnes
Director

RECEIVED

JAN 10 2017

ADWR

The Department of Water Resources should be notified if the above named person(s)
changes his address or conveys ownership of the land or of the water right to
another person(s).

at the request of Pioneer Title Agency, Inc.
When recorded mail to
Luz Divina Andraux
1440 West Ajo Way
Tucson, AZ 85713

70900210-KLB

--- Digitally Recorded ---

ID 2016-03356

County Cochise, Arizona

Date/Time 3/1/2016-2:25PM

www.recordingexpress.com

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Tax Parcel No.: 111-45-003G-5; 111-45-003E-7; 111-45-018C, a portion of

WARRANTY DEED

For the consideration of Ten Dollars, and other valuable consideration, I or we,

Cowan-NI, LLC, a New Mexico Limited Liability Company, an undivided 50% interest (for the benefit of Florence Cowan Holly) and Cowan-NI, LLC, a New Mexico Limited Liability Company, an undivided 50% interest (for the benefit of Marguerite Cowan); COWAN-NI, LLC, a New Mexico Limited Liability Company

do/does hereby convey to

Luz Divina Andraux, as Trustee of The Shalom Trust, dated April 3, 2014

the following real property situated in Cochise County, Arizona:

See Exhibit A attached hereto and made a part hereof.

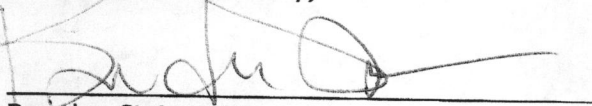
Pursuant to ARS 33-404, the names and addresses of the beneficiaries of THE SHALOM TRUST are as disclosed in Exhibit B attached hereto and made a part hereof.

SUBJECT TO: Current taxes and other assessments, reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations and liabilities as may appear of record.

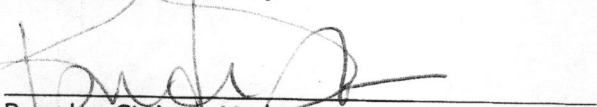
The Grantor warrants the title against all persons whomsoever.

DATED: February 19, 2016

COWAN-NI, LLC, a New Mexico Limited Liability Company, an undivided 50% interest (for the benefit of Florence Cowan Holly)


Brandon Steiner, Manager

COWAN-NI, LLC, a New Mexico Limited Liability Company, an undivided 50% interest (for the benefit of Marguerite Cowan)

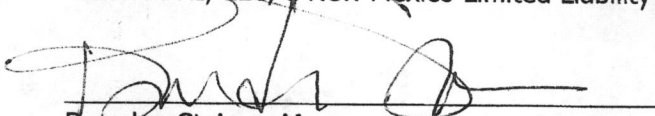

Brandon Steiner, Manager

RECEIVED

JAN 10 2017

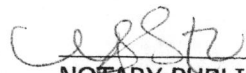
ADWR

COWAN-NI, LLC, a New Mexico Limited Liability Company


Brandon Steiner, Manager

State of New Mexico }
 } ss.
County of Bernalillo }

The foregoing instrument was acknowledged before me this 29th day of February, 2016, by Brandon Steiner, Manager of COWAN-NI, LLC, a New Mexico Limited Liability Company, and as Manager of COWAN-NI, LLC, a New Mexico Limited Liability Company, an undivided 50% interest (for the benefit of Florence Cowan Holly), and as Manager of COWAN-NI, LLC, a New Mexico Limited Liability Company, an undivided 50% interest (for the benefit of Marguerite Cowan).


NOTARY PUBLIC
My commission expires:



OFFICIAL SEAL
Y.S. LOVATO
NOTARY PUBLIC-STATE OF NEW MEXICO
My commission expires: 3/8/2016

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JAN 10 2017

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Exhibit A

PARCEL I:

The East half of the West half; and
The East half of Section 10;
All of Section 11;
Government Lots 2, 3 and 4;
The West half of the East half; and
The West half of Section 12;
All in Township 21 South, Range 25 East of the Gila and Salt River Base and Meridian, Cochise County, Arizona;

EXCEPT all coal and other minerals as reserved in Patent from United States of America, as to that portion lying within Sections 10 and 11.

PARCEL II:

The West half of the West half of Section 10, Township 21 South, Range 25 East of the Gila and Salt River Base and Meridian, Cochise County, Arizona;

EXCEPT all coal and other minerals as reserved in Patent from United States of America.

PARCEL III:

Lots 1, 2, 3 and 4; and
The West half of the East half; and
The East half of the West half of Section 13, Township 21 South, Range 25 East of the Gila and Salt River Base and Meridian, Cochise County, Arizona;

EXCEPT any portion lying within the following described Parcel:

BEGINNING at the Southeast corner of Section 13, said point being monumented with an aluminum cap;

thence South $89^{\circ}35'07''$ West coincident with the South line of Section 13, a distance of 1,790.00 feet;

thence North $00^{\circ}06'12''$ East, a distance of 2,435.00 feet;

thence North $89^{\circ}35'07''$ East, a distance of 1,790.00 feet to a point on the East line of Section 13;

thence South $00^{\circ}06'12''$ West coincident with the East line of Section 13, a distance of 2,435.00 feet to the Southeast corner of Section 13 and the POINT OF BEGINNING.

PARCEL IV:

An easement for ingress, egress and utilities as created in Document No. 2015-17279 over the following described property:

JAN 10 2017

ADWR

A portion of Section 13, Township 21 South, Range 25 East of the Gila and Salt River Base and Meridian, Cochise County, Arizona, more particularly described as follows:

BEGINNING at the Southeast corner of Section 13, said point being monumented with an aluminum cap;

thence South $89^{\circ}35'07''$ West coincident with the South line of Section 13, a distance of 1,790.00 feet;

thence North $00^{\circ}06'12''$ East, a distance of 2,435.00 feet;

thence North $89^{\circ}35'07''$ East, a distance of 1,790.00 feet to a point on the East line of Section 13;

thence South $00^{\circ}06'12''$ West coincident with the East line of Section 13, a distance of 2,435.00 feet to the Southeast corner of Section 13 and the POINT OF BEGINNING.

PARCEL V:

An easement for ingress, egress and utilities over the West 60.00 feet of Section 15, Township 21 South, Range 25 East of the Gila and Salt River Base and Meridian, Cochise County, Arizona.

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EXHIBIT B

Pursuant to ARS 33-404, the names and address of the beneficiaries of THE SHALOM TRUST, dated April 3, 2014 are

David Andraux, C/O 1440 West Ajo Way, Tucson, AZ 85713; Laura Andraux, C/O 1440 West Ajo Way, Tucson, AZ 85713; Abraham Andraux, C/O 1440 West Ajo Way, Tucson, AZ 85713

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CERTIFICATION OF TRUST
OF

JAN 10 2014

THE SHALOM LDA REVOCABLE LIVING TRUST

RECEIVED

I, LUZ DIVINA ANDRAUX, herein certify as Trustor and Trustee that, LUZ DIVINA ANDRAUX established a Revocable Living Trust known as THE SHALOM LDA REVOCABLE LIVING TRUST, dated April 3, 2014, and appointed herself and her successors, as Trustee of such Trust.

The following provisions are found in the Trust and anyone dealing with this Trust or its Trustees may rely upon such provisions as correct abbreviated statements of the operation of the Trust.

1. This trust exists, is in full force and effect, and has continuously existed since the date of execution thereof, April 3, 2014.

2. The Trustor (otherwise known as the Grantor or Settlor) is LUZ DIVINA ANDRAUX, a single woman.

3. The original Trustee is LUZ DIVINA ANDRAUX, 1440 W. Ajo Way, Tucson, Arizona 85713. And in the event of the resignation, death or incapacitation of said Trustee, or if for any reason she is unable or unwilling to act, then, DAVID J. ANDRAUX has been appointed Successor Trustee; and if he is for any reason unable or unwilling to act, then, LAURA G. ANDRAUX is appointed in his place as Successor Trustee; and if she is unwilling or unable to act, then, ABRAHAM ANDRAUX is appointed in her place.

The Trustor/Trustee during her lifetime, has the right to discharge any Trustee or Successor Trustee, of any Trust hereunder, and to appoint another Trustee or Successor Trustee in his/her place.

4. The Trustee(s) is(are) given broad powers, including the power, subject to the Trustee's fiduciary obligations, to have all the rights, power and privileges which an absolute owner of the same property would have. A copy of the Article which contains the powers of the Trustee(s) is available upon request.

The administrative and investment powers of the Trustee(s) include, but are not limited to:

(a) Banking Powers. Our Trustee(s) may establish, maintain, transfer or close checking, savings, money market, share accounts, and similar accounts in Banks, Savings & Loan Association, Credit Unions and similar financial institutions, and freely deposit to, or withdraw funds therefrom, as well as conduct all other customary banking activities associated therewith.

(b) Investment Powers in General. My Trustee(s) may invest and reinvest in such classes of stocks, bonds, securities, or other property, real or personal, in his/her/their discretion.

My Trustee(s) may invest in investment trusts as well as in common trust funds.

Our Trustee(s) may purchase life, annuity, accident, sickness, and medical insurance on the behalf of and for the benefit of any trust beneficiary.

(c) Powers of Attorney. Our Trustee(s) may execute, deliver, and grant to any individual or corporation a revocable or irrevocable power of attorney to transact any and all business on behalf of the various trusts created in this agreement.

The power of attorney may grant to the Attorney-in-fact all the rights, powers, and discretion that our Trustee(s) could have exercised.

(d) Real Estate Powers. Our Trustee(s) may make leases and grant options to lease for any term, even though the term may extend beyond the termination of any trust created under this agreement.

Our Trustee(s) may bargain, contract, agree for, purchase, receive and take lands, tenements, hereditaments and accept the seizing and possessing of all lands, and all deeds and other assurances in the law thereof; and do whatever necessary in maintaining real property in our trust, including, but not limited to, lease, let and sublet, demise, bargain, sell, grant, remise, release, convey, mortgage, hypothecate, pledge and encumber lands, tenements, hereditaments or any other interest in real property upon such terms and conditions and under such covenants as the Trustee(s) shall think fit.

Our Trustee(s) may grant or release easements and other interests with respect to real estate, enter into party wall agreements, execute estoppel certificates, and develop and subdivide any real estate.

Our Trustee(s) may dedicate parks, streets, and alleys or vacate any street or alley, and construct, repair alter, remodel, demolish, or abandon improvements.

Our Trustee(s) may take any other action reasonably necessary for the preservation of real estate and fixtures comprising a part of the trust property or the income therefrom.

(e) Sale, lease and other Dispositive Powers. Our Trustee(s) may sell, lease, transfer, exchange, grant options with respect to, or otherwise dispose of any of the trust properties

5. This Trust is amendable and revocable. The Trustors reserved the absolute right jointly to amend or revoke this trust, in whole or in part, during their joint lifetimes. Upon the incapacity, and during the lifetime, of one but not both Trustors, the non-incapacitated Trustor may individually revoke, amend or withdraw. Upon the incapacity of both Trustors, the power to personally revoke, amend or withdraw shall terminate.

6. Each Trustor shall have the power to act individually and jointly as Trustee so long as he or she is physically and mentally capable. If either Trustor becomes unable or unwilling, to serve as trustee, for any reason, the other may continue as sole Trustee. As long as the initial Co-Trustees are acting as Trustees of this trust, either of them alone may exercise any or all of the powers

RECEIVED

JAN 10 2017

ADWR

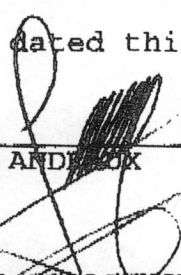
of the Trustees, as set forth, hereunder, without the necessity of signature or confirmation of the other Trustee, except when contrary to state law (i.e., real estate transfers).

7. Our Trust may be funded with property interests of all kinds by either or both of us (Trustors) or any other person or entity, in any manner. All property interests assigned, conveyed, or delivered to our Trustee(s) must be acceptable to our said Trustee(s) in his/her/their sole discretion.

The Trustors hereby state that the assertions of any Trustee herein above designated that (1) he or she is acting alone or with another qualified Trustee, or (2) that he or she is acting with full delegated powers of a Co-Trustee shall be sufficient on its face, and no third party dealing with this Trust shall be put to further inquiry into the right of such Trustee or Co-Trustee to act. Furthermore, this Trust has not been revoked, modified or amended in any manner that would cause the representations contained herein to be incorrect.

IN WITNESS WHEREOF: I, the undersigned Trustee, hereby certify the foregoing statements to be true and correct.

Signed and dated this 9 day of May, 2014.



LUZ DIVINA ANDRAUX

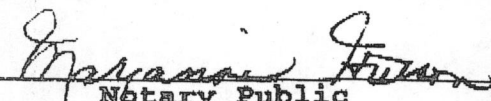
CERTIFICATE OF ACKNOWLEDGEMENT OF NOTARY PUBLIC

STATE OF ARIZONA)

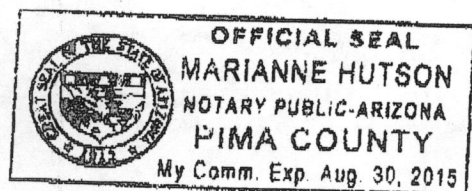
)
COUNTY OF PIMA)

On MAY 9, 2014 before me, LUZ DIVINA ANDRAUX personally appeared, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal:



Notary Public



ADWR

JAN 10 2017

NUMBER 1

SHARES 1000



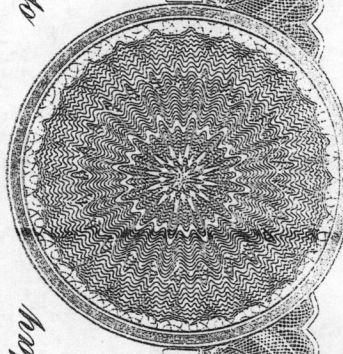
LA CASITA DAYCARE, INC.

This Certifies that THE SHALOM LDA REVOCABLE LIVING TRUST is the registered holder of ONE THOUSAND Shares transferable only on the books of the Corporation by the holder hereof in person or by Attorney upon surrender of this Certificate properly endorsed.

In Witness Whereof, the said Corporation has caused this Certificate to be signed by its duly authorized officers and its Corporate Seal to be hereunto affixed

this 9th day

of May A.D. 2014



[Signature]

Arizona Department of Water Resources

1110 West Washington Street, Suite 310

Phoenix AZ 85007

Customer:
DAVID ANDRAUX
1440 W. AJO WAY
TUCSON, AZ 85713

Receipt #: 17-49398
Office: MAIN OFFICE
Receipt Date: 01/17/2017
Sale Type: IN_PERSON
Cashier: WRSXV

Item No.	Function Code	AOBJ	Description	Ref ID	Qty	Unit Price	Ext Price
67531	WRFREV	4315-TT	Assignment of application, permit, certificate 38-18431 or statement of claim		1	165.00	165.00
RECEIPT TOTAL:							165.00

Payment type: CREDIT CARD

Amount Paid: \$165.00

Payment Received Date: 01/17/2017

Authorization 178353147

Notes: FROM TTA. FILING FEES FOR CHANGE OF OWNERSHIP FOR (3) THREE WELLS; 55-619086, 55-619089, 55-619091

Sylvia Valdez

From: no-reply@velocitypayment.com
Sent: Tuesday, January 17, 2017 2:49 PM
To: Sylvia Valdez
Subject: Payment Receipt: Arizona Water Resources

Successful Payment Receipt

Please print this receipt for your records

Remittance ID: Arizona011717163938989Joh

Received: January 17, 2017 02:47PM MST

Right Or Permit Number: 38-18431-\$75

Annual Report Type: 55-619086, 619089, 619091 -\$30 each=\$90

Payment ID: time tracking?

SG ID: o

SG Email: tjohnson@azwater.gov

Amount: \$165.00

Transaction Type: Authorization and Capture

Card Information: Visa

David Andraux
*****2058

Billing information: Address Line 1: 1440 W Ajo Way

Country: United States

State: Arizona

City: TUCSON

ZIP Code: 85713

Transaction Receipt - Success

Arizona Water Resources
Arizona Water Resources
MID:347501639533
1700 W Washington St
Phoenix , AZ 85012
602-771-8454

01/17/2017 02:47PM
Remittance ID
Arizona011717163938989Joh
Transaction ID:
178353147

DAVID ANDRAUX
1440 W Ajo Way
TUCSON, Arizona 85713
United States
Visa - 2058
Approval Code: 38811G

Sale
Amount: \$165.00

38-18431-\$75
55-619086, 619089, 619091 -\$30 each=\$90
time tracking?
o
tjohnson@azwater.gov

Cardmember acknowledges
receipt of goods and/or
services in the amount of
the total shown hereon and
agrees to perform the
obligations set forth by the
cardmember's agreement with
the issuer.

Signature _____
[click here](#) to continue.

DOUGLAS A. DUCEY
Governor



THOMAS BUSCHATZKE
Director

ARIZONA DEPARTMENT of WATER RESOURCES

1110 West Washington Street, Suite 310
Phoenix, Arizona 85007
602.771.8500
azwater.gov

December 28, 2016

Shalom Trust
Luz Divina Andreaux, Trustee
1440 W. Ajo Way
Tucson, AZ 85713

RE: Assignment (Conveyance) of Certificate of Stockpond Water Right No. 38-18431

Property Owner:

The Arizona Department of Water Resources (Department) has information indicating that the land on which the above-referenced certificate (copy enclosed) is located has been sold or transferred to you. The described place of use listed on the certificate is described as being located within the Northwest quarter of the Southwest quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$), Section 10, Township 21 South, Range 25 East.

Arizona Revised Statute § 45-164 of the Public Water Code provides that active records of the Department remain current and correct. In order to establish the correct and current holder of the above referenced filing, please complete the enclosed Request for Assignment form. As requested by instructions on the form, please include evidence of the change in land ownership or holder of the lease or special use permit by including a copy of a recorded deed or a chain of title from the holder of the certificate to the current property owner, a lease or special use permit transfer agreement, or similar documentation. Also, please provide a legal description of the land involved in the transaction (including a parcel number if available) and a county assessor or allotment map depicting that land.

If possible, the Request for Assignment form should be signed by both the assignee and the assignor, but at a minimum must be signed by the assignee. A \$75.00 filing fee must be submitted with the Request for Assignment form for each water right or claim being assigned. Please return the Request for Assignment form, proper remittance and all documentation to the Department within the next thirty (30) days.

Please do not hesitate to contact me at (602) 771-8612 or toll free (within Arizona only) at 1-800-352-8488 if you require further information or assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Hadder", is written over a horizontal line.

Kevin Hadder
Surface Water Permitting
Water Planning & Permitting Division

ENCLOSURES



Printed on recycled paper. Each ton of recycled paper saves 7,000 gallons of water.

Certificate of Water Right

County of Cochise

STATE OF ARIZONA DEPARTMENT OF WATER RESOURCES

This is to certify that pursuant to the provisions of
Title 45, Chapter 1, Article 7, Arizona Revised Statutes

William Ralph Cowan
Cloverdale Ranch
Animas, New Mexico 88020

is granted a

WATER RIGHT FOR A STOCKPOND

*with a capacity of 6.1 acre feet on an unnamed wash
in the Whitewater Draw watershed. The water right has a date
of priority of February, 1935. The stockpond is located within the*

NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 10 T21S R25E GSRB&M

Homestead

*The use of this stockpond shall be for stockwatering and wildlife
purposes in accordance with the laws of the State of Arizona and
shall be subject to all water rights described in Section 45-272,
Subsection B, Arizona Revised Statutes, and prior water rights.*

CERTIFICATE NO. 38 - 18431

is granted this 25 day of June, 1985

ARIZONA DEPARTMENT OF WATER RESOURCES

Wesley E. Skinner

Director

The Department of Water Resources should be notified if the above named person(s)
changes his address or conveys ownership of the land or of the water right to
another person(s).

JANICE K. BREWER
Governor



MICHAEL J. LACEY
Director

ARIZONA DEPARTMENT of WATER RESOURCES
3550 North Central Avenue, Second Floor
Phoenix, Arizona 85012-2105
602.771.8621
azwater.gov

COPY

August 27, 2014

Flossie C Holly
729 Old Church Rd
Corrales, NM 87048-8641

RE: Claim of Water Right for a Stockpond and Application for Certification

Dear Flossie Holly:

Enclosed please find your recently submitted Claim of Water Right for a Stockpond (Claim) received by the Arizona Department of Water Resources (Department) on August 22, 2014.

Pursuant to our telephone conversation on August 26, 2014, your intent was not to file a new Claim but to request an assignment of Claim of Water Right for a Stockpond No. 38-18431. Enclosed for your use is the correct form for requesting a surface water assignment. The Request for Assignment form should be signed by both the assignee and the assignor, but at a minimum must be signed by the assignee. A \$75.00 filing fee must be submitted with the Request for Assignment form for each water right or claim being assigned. Please return the Request for Assignment form, proper remittance and all requested documentation to the Department within the next thirty (30) days.

Check No. 2206 for \$10.00 was not deposited and is being returned.

Please do not hesitate to contact me at (602) 771-8618 or toll free (within Arizona only) at 1-800-352-8488 if you require further information or assistance.

Sincerely,

Chris Martin
Surface Water Permitting
Engineering & Permits Division

ENCLOSURES

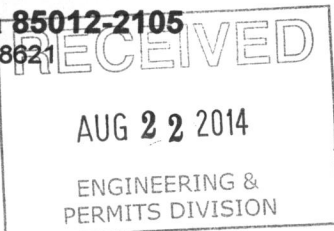
**ARIZONA DEPARTMENT OF WATER RESOURCES
PERMITTING UNIT**

MAIL TO: 3550 North Central Avenue

Phoenix, Arizona 85012-2105

Telephone (602) 771-8621

Fax (602) 771-8689



(For office use only)

Registry No: _____

Date Filed: _____

CLAIM OF WATER RIGHT FOR A STOCKPOND AND APPLICATION FOR CERTIFICATION

1. Claimant Cowan-NI, LLC
Telephone (505) 898-4074
Address 729 Old Church Lane City Corrales State NM Zip 87048
2. Type of water source and name wash
a tributary to White Water Draw within the _____ watershed
(for office use only)
3. Stockpond construction date 02/00/1935
(month/day/year)
4. Stockpond capacity at spillway level on August 27, 1977 610 acre-feet
5. Stockpond capacity at spillway level on date of this claim 610 acre-feet
6. Stockpond name (if not named, state "Unnamed") Homestead
7. Description of stockpond:
 - a. Dam height 8.00 feet (measured vertically from downstream toe to spillway crest)
 - b. Any outlet structure other than spillway? Yes _____ No x
 - c. Pond shape half-circle
 - d. Reservoir behind dam: Maximum length 380 feet Maximum width _____ feet
8. Was stockpond the subject of any litigation or protest prior to August 27, 1977? Yes _____ No x
If yes, explain _____
9. Has any other filing, claim or registration of this stockpond or for the use of the water been made? Yes x No _____
If yes, attach explanation giving date and file number if any _____
10. Type of water use: Stockwatering 50% Wildlife 50%
11. Was the sole purpose for the ponds construction watering of livestock and/or wildlife? Yes x No _____
If no, what was the purpose of construction?
12. Is the watering of livestock and/or wildlife the only beneficial use of water out of this pond? Yes x No _____
If no, what other beneficial uses are made of the water?
13. Is, or was, the pond ever used primarily for fishing or the culturing of fish? Yes _____ No x
If yes, explain _____

14. Location of the impounding dam for the stockpond: County Cochise

Parcel I.D. No. _____ and/or Lot No. _____ and NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 10, Township 21S N/S, Range 25 E E/W

15. Location of point of diversion (if different from the location listed above): County _____

Parcel I.D. No. _____ and/or Lot No. _____ and $\frac{1}{4}$ $\frac{1}{4}$, Section _____, Township _____ N/S, Range _____ E/W

16. Landowner at location of stockpond Cowan-NI, LLC.

Private x State _____ BLM _____ National Forest _____ Other _____

Lessee and/or Permittee name and address (if applicable)

Name Ruth Evelyn Cowan Address P. O. Box 1030 City Tombstone State AZ Zip _____

Name _____ Address _____ City _____ State _____ Zip _____

17. REQUIRED ATTACHMENTS:

☐ **Application Fee** of \$10.00 per stockpond as authorized by A.R.S. § 45-273 and A.A.C. R12-15-104. A separate claim must be filed for each stockpond.

☐ **Copy of recorded deed** showing land ownership. If owned by other than applicant, provide copies of all pertinent leases, grazing permits, allotments, or letter from landowner authorizing the proposed appropriation.

By signing this document I acknowledge that in order to obtain and maintain any right in this pond I am required by A.R.S. § 45-276 to continue to use the stockpond water solely for watering livestock and/or wildlife, and am prohibited from using the pond primarily for fishing or the culturing of fish or increasing the capacity of the pond. I understand that if I fail to comply with these statutory obligations, the Director may reject my claim and cancel any certificate issued pursuant to this claim.

STATE OF NEW MEXICO)

COUNTY OF SANDOVAL)


Signature AGENT FOR COWAN-NI, LLC.

SUBSCRIBED AND SWORN to before me this 6th day of August, 2014.

My commission expires: 4/3/17

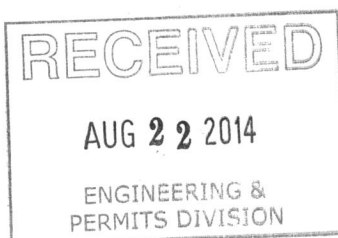


OFFICIAL SEAL

Chantelle Chavez
Notary Public
STATE OF NEW MEXICO

My Commission Expires: 4/3/17





ARIZONA DEPARTMENT OF WATER RESOURCES
STOCKPOND REGISTRY

*Return
to
Pasture*

C #: 38 18431 CERT #:
OWNER: COWAN W R PRIORITY DATE: 02/00/1935
CLOVERDALE RANCH CONSTRUCTION DATE: 02/00/1935
ANIMAS NM 88020 DATE OF FIRST USE: 02/00/1935

STOCKPOND NAME: HOMESTEAD

COURSE NAME: UNNAMED

TYPE: WASH

WATERSHED: WHITE WATER DRAW

STOCKPOND CAPACITY:	6.10 AFA	USES: STOCK	50 %
ANNUAL AMOUNT USED:	2.24 AFA	WILDLIFE	50 %
AVERAGE NBR HEAD:	200		
MAXIMUM NBR HEAD:	250		
NBR MONTHS USED:	12		

POINT OF DIVERSION: NW SW 10 21.0 S 25.0 E COUNTY: COCHISE

PLACE OF USE: NW SW 10 21.0 S 25.0 E COUNTY: COCHISE

HEIGHT: 8.00 LENGTH: 380.00 AREA: 1.58 SHAPE: HALF-CIRCLE

DAM OWNER: PRIVATE

LAND OWNER: PRIVATE

CURRENT STATUS: CERTIFICATED

DATE: 06/25/1985

NEXT STATUS:

DATE:

RECEIVED

AUG 22 2014

ENGINEERING &
PERMITS DIVISION

FLOSSIE C HOLLY
729 OLD CHURCH RD
CORRALES, NM 87048-8641
505-898-4074

2206

95-219/1070 281
5865237332

08/19/14

Date

Pay to the
Order of

Cy. Dept. of Water Resour. \$ 10.00
New Mex

Dollars



Security
Features
Details on
Back.

WELLS
FARGO

Wells Fargo Bank, N.A.
New Mexico
wellsfargo.com

For

Stock pond exp. Flossie C. Holly

⑆107002192⑆ 5865237332⑈ 02206



JANICE K. BREWER
Governor

HERBERT R. GUENTHER
Director

ARIZONA DEPARTMENT OF WATER RESOURCES

3550 North Central Avenue, Second Floor
PHOENIX, ARIZONA 85012-2105
(602) 771-8500

October 26, 2009

Robert R. & Ruth Evelyn Giles Revocable Trust
PO Box 1030
Tombstone, Arizona 85638

RE: Assignment (Conveyance) of Certificate of Stockpond Water Right No. 38-18431.

Property Owner:

The Arizona Department of Water Resources (Department) has information indicating that the land on which the above-referenced certificate (copy enclosed) is located has been sold or transferred to you. The described place of use listed on the certificate is described as being located within the Northwest quarter of the Southwest quarter, Section 10, Township 21 South, Range 25 East.

Arizona Revised Statute § 45-164 of the Public Water Code provides that active records of the Department remain current and correct. In order to establish the correct and current holder of the above referenced filing, please complete the enclosed Request for Assignment form. As requested by instructions on the form, please include evidence of the change in land ownership or holder of the lease or special use permit by including a copy of a recorded deed or a chain of title from the holder of the certificate to the current property owner, a lease or special use permit transfer agreement, or similar documentation. Also, please provide a legal description of the land involved in the transaction (including a parcel number if available) and a county assessor or allotment map depicting that land.

If possible, the Request for Assignment form should be signed by both the assignee and the assignor, but at a minimum must be signed by the assignee. A \$10.00 fee must be submitted with the Request for Assignment form for each water right or claim being assigned. Please return the Request for Assignment form, proper remittance and all documentation to the Department within the next thirty (30) days.

Please contact the Surface Water Rights Unit at (602) 771-8500 if you have further questions regarding the assignment process.

Sincerely,

A handwritten signature in cursive script, appearing to read "J. Aguilar".

Jeannie Aguilar
Surface Water Rights Specialist
Water Rights Section, Surface Water Division

Enclosures



Printed on recycled paper. Each ton of recycled paper saves 7,000 gallons of water.

02 111 45 003 E 7 08 13 09 10 09 03 PROPERTY STATUS INQUIRY COUNTY: COCHISE 02 111 45 003 E 7
CO BK MP PAR S C RUN DATE FILE DATE FOR: RAB TAX YR: 2010 (FY1) CO BK MP PAR S C

----- NAME AND ADDRESS -----
1 GILES ROBERT R & RUTH EVELYN REV TR
5 PO BOX 1030
6 TOMBSTONE AZ 85638

----- LAND -----
USAGE CLASS 4710
ASSMT RATIOS 16.0
% OF FCV 100
LEGAL CLASS 02.R
CUR FCV 1,024 AV 164
VALUE SOURCE 4
SITUS
SECTION TOWNSHIP RANGE
PARCEL SIZE 160.00 ACRES
VALUATION
BASE PER

----- IMPROVEMENTS -----
USAGE CLASS 0000 VALUE SOURCE
ASSMT RATIOS
% OF FCV
LEGAL CLASS
FCV'S:
COST
MARKET
COST/MKT
ASSESSOR
CNTY/BRD
ST BOARD
FREEZE YEAR
CUR FCV: AV:
----- PERSONAL PROPERTY -----
CLASS ITEMS FCV LCL RATIO ASSESSED
TOTAL:

----- SALES AND TRANSFER -----
DOCKET/PAGE 0099092 986
INSTR TYPE SPC WARRANTY DEE
DATE OF SALE 09 01 99
SALE PRICE

----- SPECIAL DISTRICT -----
CODE UNITS CODE UNITS

----- TAX DATA -----
AREA CODE 0200
EXEMPT STATUS
FCV EXEMPT
LPV EXEMPT
ASSMT RATIOS: LPV LAND IMPR COMB
 16.0 16.0
TOTAL FCV: 1,024 NET AV: 164
CUR LPV: 1,024 NET AV: 164
----- PREVIOUS YEAR VALUES -----
PY FCV: 1,024 PY LPV: 1,024

----- MARKET DATA -----
APP DATE CONSTR YR CLASS STORIES ROOMS GRADE NUMBER
EXT WALLS ROOF HEAT AIR COND BATH PATIO
PHY COND LIVING GAR/CPT CAPACITY POOL

----- LEGAL -----
01 W2W2 SEC 10-21-25 160AC
15 ON SITE AG REVIEW 2/13/02 #0055
16 5/01 LV CLS 4700

*** END OF PIC RECORD ***

State of Arizona

DEPARTMENT OF WATER RESOURCES

99 E. Virginia Avenue, Phoenix, Arizona 85004

BRUCE BABBITT, Governor
WESLEY E. STEINER, Director

July 1, 1985

Dear Certificate Holder:

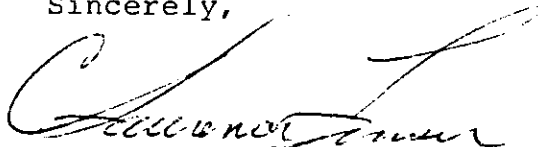
Enclosed is your certificate of water right for the indicated stockpond. This certification is issued in response to your claim of a stockpond water right filed pursuant to Title 45, Chapter 1, Article 7, Arizona Revised Statutes.

Please retain this document in a safe place. You may wish to record this certificate with the office of the Recorder of the county where the stockpond is located.

If this certificate of water right is assigned or transferred to another person or entity or the address of the holder changes, please notify the Department of Water Resources.

The law provides that your stockpond may not be increased in capacity and must be used solely for the watering of livestock or wildlife and cannot be used primarily for fishing or the culturing of fish. In this regard once every five years and at other appropriate times the Director of the Department of Water Resources will require that you furnish a statement of compliance with the statute. You will be contacted when certification is necessary.

Sincerely,



C. Laurence Linser
Deputy Director
Planning and Water Rights

CLL/lao

Enclosure

Think Conservation!

Office of Director 255-1554

Administration 255-1550, Water Resources and Flood Control Planning 255-1566, Dam Safety 255-1541,
Flood Warning Office 255-1548, Water Rights Administration 255-1581, Hydrology 255-1586.

Certificate of Water Right

County of Cochise

STATE OF ARIZONA DEPARTMENT OF WATER RESOURCES

This is to certify that pursuant to the provisions of
Title 45, Chapter 1, Article 7, Arizona Revised Statutes

William Ralph Cowan
Cloverdale Ranch
Animas, New Mexico 88020

is granted a

WATER RIGHT FOR A STOCKPOND

*with a capacity of 6.1 acre feet on an unnamed wash
in the Whitewater Draw watershed. The water right has a date
of priority of February, 1935. The stockpond is located within the*

NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 10 T21S R25E GSRB&M


Homestead

*The use of this stockpond shall be for stockwatering and wildlife
purposes in accordance with the laws of the State of Arizona and
shall be subject to all water rights described in Section 45-272,
Subsection B, Arizona Revised Statutes, and prior water rights.*

CERTIFICATE NO. 38 - 18431

is granted this 25 day of June, 1985

ARIZONA DEPARTMENT OF WATER RESOURCES


Director

The Department of Water Resources should be notified if the above named person(s)
changes his address or conveys ownership of the land or of the water right to
another person(s).

ARIZONA DEPARTMENT OF WATER RESOURCES
STOCKPOND REGISRTY

REG #: 38 18431 CERT #:

PREVIOUS FILINGS:

HOLDER: COWAN, William Ralph ~~W E~~

PRIORITY DATE: 00/00/1935

CLOVERDALE RANCH

CONSTRUCTION DATE: ^{Feb}00/00/1935

ANIMAS NM 88020

DATE OF FIRST USE: ^{Feb}00/00/1935

STOCKPOND NAME: HOMESTEAD

COURSE NAME: UNNAMED

TYPE: WASH

WATERSHED: WHITE WATER DRAW

STOCKPOND CAPACITY: 6.10 AFA

USES: STOCK 50 %

ANNUAL AMOUNT USED: 2.24 AFA

WILDLIFE 50 %

AVERAGE NBR HEAD: 200

MAXIMUM NBR HEAD: 250

NBR MONTHS USED: 12

POINT OF DIVERSION: NW SW 10 21.0 S 25.0 E COUNTY: COCHISE

PLACE OF USE: NW SW 10 21.0 S 25.0 E COUNTY: COCHISE

HEIGHT: 8.00 LENGTH: 380.00 AREA: 1.58 SHAPE: HALF-CIRCLE

DAM OWNER: PRIVATE

LAND OWNER: PRIVATE

LAST STATUS: NOTICE OF CLAIM

DATE: 08/04/1980

~~NEXT STATUS: CERTIFICATE TO BE ISSUED~~

DATE: 10/04/1980

STATEMENT OF CONTINUING USE OF STOCKPOND

I (We), William Ralph Cowan, hereby declare, under penalty of perjury, that the stockpond water associated with Application No. 38-18431 is continuing to be used solely for watering livestock or wildlife, that the pond is not used primarily for fishing or the culturing of fish, and has not been increased in capacity.

William R Cowan
Name

DATED June 14 1985
Month Day Year

Cloverdale Ranch
Address

Animas New Mexico 88020
City State Zip

To proceed with certification we need the following specific information:

- ✓ ① Complete name and address of present holder of this application.
2. Completion of the enclosed Assignment form.
- ③ Name, if any, and kind of direct source of supply of water.
- 4.- Storage capacity of the stockpond on August 27, 1977.
- ✓ ⑤ Date of construction of stockpond. Please provide at least a month and year.
6. Legal description by quarter/quarter/section/township/range of the stockpond.
7. Current beneficial use(s) of the stockpond.

Enclosure

JUN 21 1985

AREA CODE 505
PHONE 548-2247

WM. COWAN RANCHES

ANIMAS, NEW MEXICO

MCNEAL, ARIZONA

MAILING ADDRESS:

CLOVERDALE RANCH
ANIMAS, NEW MEXICO

June 14, 1985

Mr. C. Laurence Linser
Deputy Director
Planning and Water Rights
State of Arizona Department
of Water Resources
99 East Virginia Avenue
Phoenix, Arizona 85004

Dear Mr. Linser:

SUBJECT: STOCKPOND REGISTRY

Returned herewith are the printouts and the Statements
of Continuing Use which were attached to your form letter dated
May 23, 1985.

Please note the correction of name, and the completion
of the month on the construction and first use dates:

38-18429
38-18430
38-18431
38-18432
38-18435
38-18439

Best regards,



William R. Cowan

WRC:AAK
Enclosures

State of Arizona

DEPARTMENT OF WATER RESOURCES

99 E. Virginia Avenue, Phoenix, Arizona 85004



BRUCE BABBITT, Governor
WESLEY E. STEINER, Director

May 23, 1985

William R. Cowan
Cloverdale Ranch
Animas, New Mexico 88020

Dear Stockpond Applicant:

Records of the Department of Water Resources show that you filed a claim of a water right in a stockpond pursuant to the provisions of the Registration of Stockponds Act of 1977. A stockpond is defined as a pond having a capacity of not more than fifteen acre feet that is used solely for watering livestock or wildlife. Enclosed is a printout summarizing the information contained in your stockpond application(s).

The law provides that once every five years the Director of the Department of Water Resources shall require certificate holders "to furnish a statement, under penalty of perjury, that the stockpond water is continuing to be used solely for watering livestock or wildlife, that the pond is not used primarily for fishing or the culturing of fish, and has not been increased in capacity."

At this time, you are asked to:

1. Review the enclosed printout(s) and clearly print any amendments you wish to make
2. Sign the Statement of Continuing Use
3. Return the printout and the Statement of Continuing Use to the Department of Water Resources within thirty days.

If the application or the land associated with the stockpond has been sold, transferred or assigned to another party, please provide us with the new owner's name and address. Upon receipt of the Statement of Continuing Use, the Department will issue a certification of the water right if it appears that the material facts stated in the claim are true and entitle the claimant to a water right for the stockpond.

Thank you very much.

Sincerely,

A handwritten signature in cursive script, likely belonging to C. Laurence Linser, is written over a horizontal line.

C. Laurence Linser, Deputy Director
Planning and Water Rights

Think Conservation!

CLL/lao
Enclosure

Office of Director 255-1554

Administration 255-1550, Water Resources and Flood Control Planning 255-1566, Dam Safety 255-1541,
Flood Warning Office 255-1548, Water Rights Administration 255-1581, Hydrology 255-1586.

State of Arizona

DEPARTMENT OF WATER RESOURCES

99 E. Virginia Avenue, Phoenix, Arizona 85004



BRUCE BABBITT, Governor
WESLEY E. STEINER, Director

April 10, 1985

Ms. Evelyn Williams
47 Ranch Partnership
1320 Pine Street
Silver City, New Mexico 88061

Dear Ms. Williams:

Enclosed are the two stockpond registrations with your check number 606 in the amount of \$20.00 made payable to the Department of Water Resources, which you recently submitted.

Your application for "Earnest Tank" indicates the point of diversion to be located within the Northeast quarter (NE $\frac{1}{4}$) of the Southeast quarter (SE $\frac{1}{4}$), Section 8, Township 21 South, Range 25 East, Gila and Salt River Base and Meridian. An examination of the Department's records shows Registration No. 38-62195, filed by 47 Ranch Partnership, for a stockpond at this location although named "Tom's Tank". A copy of the registration is enclosed. Examination of the U.S.G.S. Quad map for this area (Gleeson SE, Ariz. 7.5 1958) also showed a stockpond named "Tom's Tank" at this same location.

Further examination of the U.S.G.S. Quad map revealed an "Ernest Tank" located within the Northeast quarter (NE $\frac{1}{4}$) of the Southeast quarter (SE $\frac{1}{4}$), Section 7, Township 21 South, Range 25 East.

Please advise whether your registration is a duplication of a previous filing on "Tom's Tank" or if you intended to file for "Earnest Tank". If you intended to file for "Earnest Tank", please double check your legal description of the tank as it appears to be in Section 7 and not in Section 8.

Your application for "Tom's Tank" states the location of the stockpond to be within the Northeast quarter (NE $\frac{1}{4}$) of the Southeast quarter (SE $\frac{1}{4}$), Section 9, Township 21 South, Range 25 East, Gila and Salt River Base and Meridian. Examination of the U.S.G.S. Quad map shows a stockpond in that location and crossing over the section line into the Northwest quarter (NW $\frac{1}{4}$) of the Southwest quarter (SW $\frac{1}{4}$), Section 10, Township 21 South,

Think Conservation!

Office of Director 255-1554

Administration 255-1550, Water Resources and Flood Control Planning 255-1566, Dam Safety 255-1541,
Flood Warning Office 255-1548, Water Rights Administration 255-1581, Hydrology 255-1586.

Ms. Evelyn Williams
Page two
April 10, 1985

Range 25 East. The map names the pond "Homestead Tank". The Department's records indicate that "Homestead Tank" had been previously filed for by William R. Cowan, Cloverdale Ranch, Registration No. 38-18431 (copy is enclosed).

Please advise if your filing for "Tom's Tank" is for a different stockpond than "Homestead Tank". If your filing for "Tom's Tank" is for the same stockpond as "Homestead Tank", please complete the enclosed Assignment Form and return it to the Department of Water Resources with the \$5.00 filing fee. I am enclosing a copy of the pertinent parts of the U.S.G.S. topographic map.

Thank you very much.

Very truly yours,



Kathy Prince
Examiner Technician
Surface Water

KP:hs

Enclosures

ARIZONA STATE LAND DEPARTMENT

1624 West Adams

Phoenix, Arizona 85007

CLAIM OF WATER RIGHT FOR A STOCKPOND;
APPLICATION FOR CERTIFICATION
(Chapter 69 Laws 1977)

FILING FEE \$10.00

INSTRUCTIONS:

1. File a separate claim for each stockpond.
2. Submit in duplicate; typewrite or print in ink.
3. Complete each blank with required information.

NOTE: The law provides that a claim which does not contain the required information or which is not accompanied by the required filing fee shall not be accepted by the Department but shall be returned to the sender.

I, WILLIAM R. COWAN of CLOVERDALE RANCH
(Name) (Street, P.O. Box, Rural Route)
Amigas NEW MEXICO 88020 505-548-2247
(City) (State) (Zip Code) (Phone No.)

do hereby claim a water right for the stockpond herein described and do hereby make application for certification of such right.

1. State the date of completion of construction of the stockpond 1935
(a) Name of stockpond HOMESTEAD (Mo., Day, Yr.)
2. State the capacity of the stockpond at spillway level on August 29, 1977:
6.10 (Acre Feet).
3. What was sole purpose for which pond was constructed? LIVESTOCK
4. What is current primary use? LIVESTOCK WATER
5. What other uses are made of pond? WILD LIFE SOY
(Give percentage of each "other" use to total use.)
6. Was stockpond subject to litigation or to a protest of record to the Land Department prior to August 29, 1977? NO No.
(a) If the answer is 'yes', attach explanation.
7. Has previous filing, claim or registration of this stockpond been made?
NO No; if 'yes', attach explanation giving date and file number.
8. State the date water was first used beneficially 1935
(Month, Day, Year)
9. State the quantities of water used annually 2.24
(Acre Feet)
(a) What is average number of head using this water? 200 maximum no. ? 250
(b) Over what part of year? year LONG
10. State the name of water course or water source unnamed DRAW
Tributary to white WATE DRAW on the WHITE WATER DRAW watershed.
(Leave Blank)
11. The point of diversion is within NW 1/4, SW 1/4, Section 10, of
Township 21S, Range 25E in the County of COCHISE.
12. The location of impounding dam is within NW 1/4, SW 1/4, Section 10, of
Township 21S, Range 25E in the County of COCHISE.
(If site of number 11 differs from number 12 attach explanatory plat or map)
13. The dimensions of the impounding dam and reservoir are:
(a) Height of dam to spillway 8 ft. (Measured inside dam)
(b) Length of dam 380 ft.
(c) Surface area of water at spillway level _____ acres. Shape? (Circle One)
square; rectangle; half-circle; egg-shaped; triangle.
14. State the name of owner of land on which dam is located:
WILLIAM R. COWAN
15. State the name of owner (s) of any land inundated when stockpond is filled to capacity:
WILLIAM R. COWAN

(LEAVE BLANK)

No. 38-18431
Filed JUN 22 1979 at 146P M
(Date) (Time)

WORKSHEET

1. Name of Stockpond Klute SW 1/4 S4 T20S R25E
2. Surface Shape, Location of Dam, Spillway, and Deepest point.

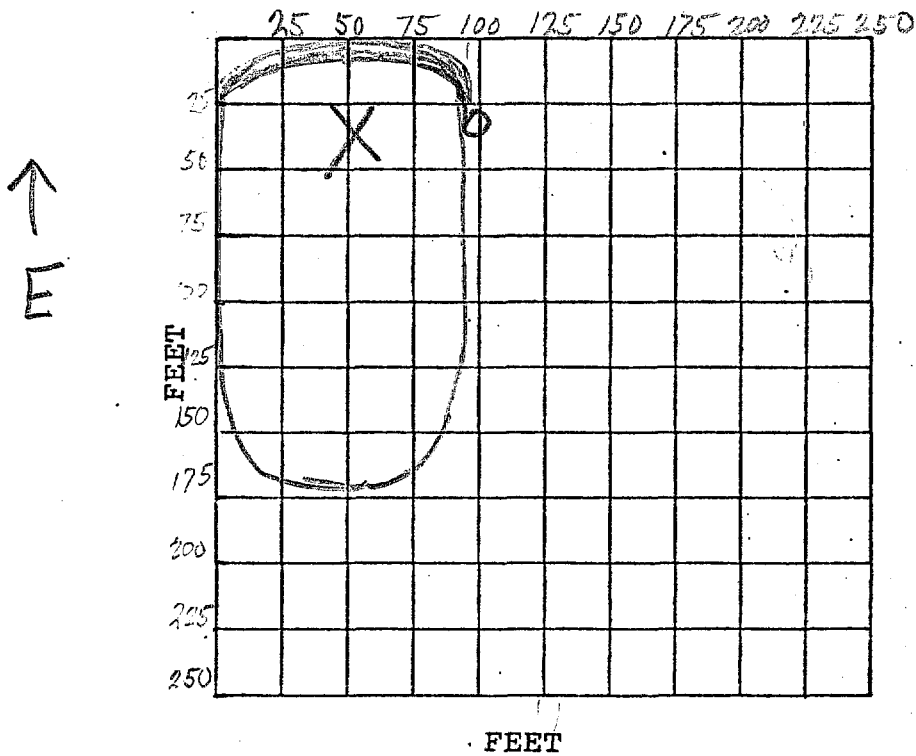


FIGURE 1. GRIDDED SQUARE

Code Number of Selected Figure.

CN	2	2
----	---	---

 (From Section III)

Dimensions (Refer to the figure which you selected from Section III for the required dimensions).

A= <u>96</u> Feet	H= <u>15</u> Feet
B= <u>174</u> Feet	L= _____ Feet
C= _____ Feet	M= _____ Feet
E= _____ Feet	N= _____ Acres

Calculations: Transfer the equation associated with the figure you selected from Section III to the space below and do the required calculations using the dimensions of your stockpond listed above.

$$\begin{aligned}
 \text{EMV} &= (B \times H) \times [A + (3 \times H) \times 9] \\
 &= (174 \times 15) \times [96 + (3 \times 15) \times 9] \\
 &= 2610 \times 141 \times 9 = 3312090 \\
 &= 3.31 \text{ ac.}
 \end{aligned}$$

$$\begin{aligned}
 &200 \text{ cows} / 10 \text{ gal/cow/day} / 365 \text{ days} \\
 &= \frac{730,000}{325,851} = 2.24 \text{ ac.}
 \end{aligned}$$

$$\begin{aligned}
 A &= \frac{\pi r^2}{2} \\
 &= \frac{3.14 \times 96^2}{2} \\
 &= \frac{144694.4}{2} = 72347.2 \\
 &= 1.33 \text{ ac}
 \end{aligned}$$

WHITE WATER DRAW

NANSU

TO AVOID PAYMENT OF PENALTY AND INTEREST THIS PAYMENT MUST BE IN THE OFFICE OF THE STATE LAND DEPARTMENT
ON OR BEFORE THE DUE DATE. DATE OF POSTAL STAMP NOT ACCEPTED AS DATE OF PAYMENT.

STATE OF ARIZONA

STATE LAND DEPARTMENT

1624 WEST ADAMS - 4th FLOOR - PHOENIX, ARIZONA 85007

OFFICE COPY

William B. Cowan
Cloverdale Ranch
Animas, New Mexico 88020

KIND ENTRY	LEASE-REFERENCE NO.
38	18429 100

SECTION	TOWNSHIP	RANGE

46150

ACCOUNT NO. GRANT FUND	CARRYING CAPACITY SUB	BILLING DESCRIPTION	RATE	ACRES	\$	AMOUNT
14 310 50		Filing fee for Claim of Water Right				50.00
		for Stockpounds				
		Water Rights Division (SW)				
		38-18429 thru 38-18433 (5 filings)				
				1 CK		50.00+
				2 CK C		50.00+
				3247		
				6 22 79		

Check # 788

CERTIFICATE OF PURCHASE \$ UNPAID BALANCE	BILLING PERIOD FROM MO. DAY YR. TO MO. DAY YR.	DATE BILLED MO. DAY YR.	DATE DUE MO. DAY YR.	TOTAL ACRES	TOTAL AMOUNT \$
	06 22 79				50.00

IF PAYMENT IS MADE ON OR BEFORE THIS DATE PAY THIS AMOUNT

SEE OTHER SIDE FOR LAW PERTAINING TO PENALTY AND INTEREST - A. R. S. SEC. 37-288.

RENTAL AMOUNT SUBJECT TO PENALTY AND INTEREST IF NOT PAID ON OR BEFORE DATE DUE (\$)

5% PENALTY OF RENTAL AMOUNT - - - - - \$

TOTAL RENTAL AMOUNT PLUS PENALTY - - - - - (\$

10% INTEREST PER ANNUM OF RENTAL AMOUNT

AND PENALTY - NUMBER OF DAYS DELINQUENT () \$

TOTAL AMOUNT DUE INCLUDING PENALTY AND INTEREST - - - - - \$

CASH RECEIVED

BALANCE DUE OR OVERPAYMENT

PENALTY AND INTEREST DISTRIBUTION	\$

111W



Sec 10, T21S, R25E