

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A22-02048B**
Date Received: 11/ 2/1988
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: HARVEY E EDWARDS 518-677-5720
Address: RD 1 CENTER RD BOX 290
EAGLE BRIDGE NY 12057
AND
Name: SUZANNE R EDWARDS 518-677-5720
Address: RD 1 CENTER RD BOX 290
EAGLE BRIDGE NY 12057

2. Date of Priority: MAR 18, 1910

3. Source: MAHOGANY CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	44E	1	SW	SE			TETON

5. Description of diverting works:
HEADGATE TO DITCHES TO SPRINKLERS AT P/U.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.370		

7. Total Quantity Appropriated is:
0.370 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	45E	6	SE	SW		IRR	18.5



10. Place of Use: Continued

Section Acres 18.5

Total Acres 18.5

11. Place of use in counties: TETON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

ORIGINAL LICENSE INDICATES P/U IN SEC6 T4N R44E. THIS APPEARS TO
BE IN ERROR. ACTUAL P/U IS AS LISTED. P/D CHANGED FROM SESW
SEC 12 T4N R44E TO PRESENT LOCATION ~1975.

A22-02048B, 0.37 CFS, ON 18.5 AC, H. EDWARDS, 30DEC96
'A' PORTION AS SPLIT TO C AND D IS CLAIMED IN-FULL. ABR.
'A' PORTION OF A22-02048, SPLIT BY WARRANTY DEED 22FEB94. CHANGE
OF OWNERSHIP NOT RECEIVED BETWEEN J. CUSHMAN AND E. THOMPSON. THE
SALES OF SPLIT PORTION 'B' ARE SUPPORTED BY WARRANTY DEEDS (FILE)
REMAINING PORTION 'A' IS AS FOLLOWS;

A22-02048A, 1.73 CFS, ON 86.5 AC., J. CUSHMAN
OVERALL A22-02048 CLAIMED IN-FULL AS PARTS B,C AND D. 14FEB97,ABR

PLACE OF USE IS 18.5 AC IN W1/2SE1/4SW1/4, SEC 6, T4N,R45E.

15. Basis of Claim: LICENSE

Water Right Number: 5834



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

FEBRUARY 17, 1997

TERRELL J BOLES
1060 SALEM WALK DR
GREENSBORO GA 30642

RE: CHANGE IN OWNERSHIP FOR A22-02048

Dear Mr. Boles:

The request for Change in Ownership for a portion of the above referenced Notice(s) of Claim has been processed with new Notice(s) being generated to reflect you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

A22-02048^D BOLES, 0.370 CFS, 18.5 ACRES
A22-02048^B EDWARDS, 0.370 CFS, 18.5 ACRES.

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if there are other corrections or questions, feel free to contact this office.

Respectfully submitted,

Jo Thompson
Jo Thompson
Adjudications Secretary

Enclosure:

CC: HARVEY EDWARDS/COPY CLAIM/LETTER

FEBRUARY 25, 1997

DEAR MR. EDWARDS:

I APOLOGIZE FOR MY ERROR, BUT WHEN I ASSIGNED THE WATER RIGHT NUMBER TO YOUR NAME, I GAVE IT A "D". IT SHOULD HAVE BEEN A "B". PLEASE CHANGE YOUR "COPY" TO A "B". ALL OTHER INFORMATION SPECIFIED IS CORRECT AS SHOWN.

Thanks,
Jo

DECREED RIGHT 22-0204B

SPLIT ANALYSIS FLOW CHART
(FOR NUMBERING PURPOSES)

• UNDER CONTRACT OF SALE FROM
POTTER ENT. TO J.C. CUSHMAN III
DEEDED 29 NOV 96.

A22-0204B J.C. CUSHMAN III

2.1 cfs MAHOGANY CK 18 MAR 1910
P.O.U. AS SEC. 6 T. 4N. R. 4SE.
SWSW 31.0 AC LOT 7
SESW 37.0 AC
SWSE 37.0 AC
105.0 AC

(A) A22-0204BA J.C. CUSHMAN III

1.73 cfs MAHOGANY CK 18 MAR 1910
P.O.U. T. 4N. R. 4SE SEC. 6
SWSE 37.0 AC.
(LOT 7) SWSW 31.0 AC.
E²SESW 18.5 AC.
86.5 AC

(B) A22-0204BB HE EDWARDS

0.37 cfs MAHOGANY CK
P.O.U. T. 4N. R. 4SE SEC. 6 W²SESW
18.5 AC

(C) A22-0204BC J.C. CUSHMAN III

1.36 cfs MAHOGANY CK 18 MAR 1910
P.O.U. T. 4N. R. 4SE SEC. 6
SWSE 37.0 AC.
(LOT 7) SWSW 31.0 AC.
68.0 AC.

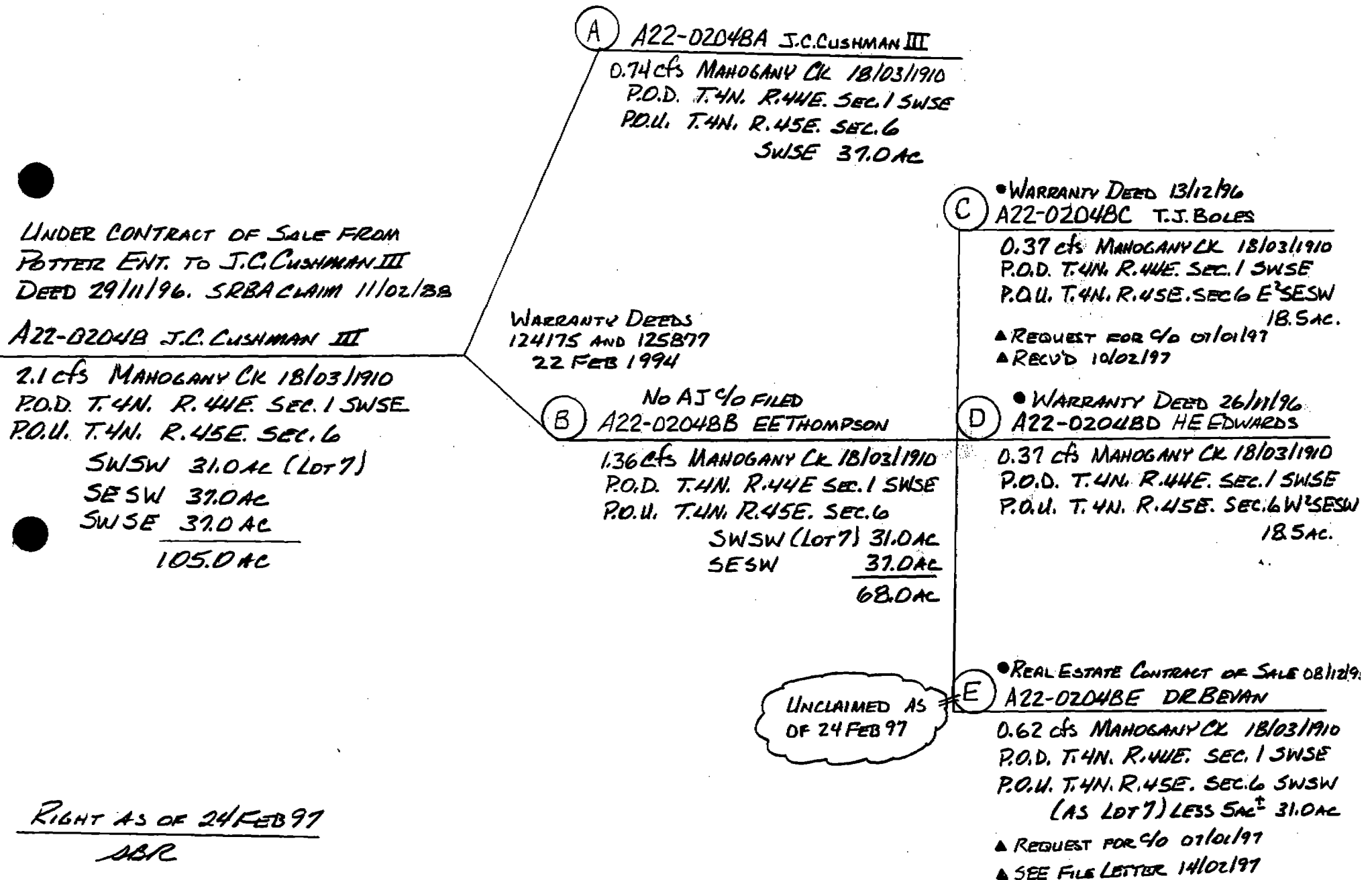
(D) A22-0204BD T.J. BOLES

0.37 cfs MAHOGANY CK 18 MAR 1910
P.O.U. T. 4N. R. 4SE SEC. 6
E²SESW 18.5 AC.

- WARRANTY DEED 13 DEC 96
- REQUEST FOR 9/0 7 JAN 97
- REC'D 10 FEB 97

DECEED RIGHT 22-0204B (AS SPLIT)
ENJOINED TO SRBA RECEIPT No. EDD3735

SPLIT ANALYSIS FLOW CHART
(ACTUAL)



AR
01-02-97
RECEIVED

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

DEC 30 1996

Please print or type
(see instructions on back of page)

Department of Water Resources
Eastern Region

DATE OF CLOSING 12/12/96

[] Water Right Number(s) /
SRBA Claim No(s): A2202048 (SEE SPLIT ANALYSIS - ATTACHED)

[] Name and Address of Former
Owner/Claimant(s) (Seller) Eric E. & Sandra A. Thompson
1101 Hidden Beach Rd.
Lake Almanor, CA 96137

[] New Owner/Claimant
(Purchaser): Harvey & Suzanne R. Edwards

[] New Mailing Address: RD 1 Center Rd. Box 290
Eagle Bridge, NY 12057

[] New Telephone Number: (518) 677 - 5720

[] Attach proof of ownership; Proof must include legal description.
(i.e. Warranty Deed). Describe proof attached Warranty Deed

[] Please submit a map or aerial photo showing the property purchased if one is
available.

[] Does the change in ownership result in a splitting of the water right
owned/claimed? X yes no

* If the property you have purchased is only part of the property owned by the
former owner/seller, you may be purchasing only part of the total water right(s)
held by the seller. (See back for explanation)

[] Signature of New Harvey Edwards Date 12/19/96
Owner/Claimant(s): Suzanne R. Edwards Date 12/19/1996

[] Notice of Appearance:
Notice is hereby given that I, _____, will be
acting as attorney at law on behalf of the claimant signing above, and all
notices required by law to be mailed by the director to the claimant above should
be mailed to me at the address listed below.

Signature _____

Address _____

Eastern Region
900 N Skyline Dr
Suite A
Idaho Falls ID 83402
(208) 525-7161

Southern Region
222 Shoshone St E
Twin Falls ID 83301
(208) 736-3033

Western Region
2735 Airport Wy
Boise ID 83705
(208) 334-2190

Northern Region
1910 Northwest Blvd Ste 210
Coeur d Alene ID 83814
(208) 769-1450

State Office
1301 N Orchard St
Boise ID 83706
(208) 327-7900

Original to be mailed to IDWR Regional Office in your area.

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-1409 and 42-248, Idaho Code. These statutes provide that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights.

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer. There may also be a late fee if IDWR is not notified of a change in ownership within 120 days of the date of closing.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the number(s) are unknown, then you may wish to call or visit an IDWR office for assistance in identifying the water rights. If claims for the water rights have not been filed, you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for BOTH the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number.

Enclose a map or aerial photo that shows the property purchased. The map or photo should show at least one section corner and have the scale noted.

If the rights are to be split in any way other than proportionately, we recommend that you contact the IDWR office nearest you so they can assist you in insuring that the split will not conflict with Section 42-222 of the Idaho Code. I.C. 42-222 states in brief: "Any person, entitled to the use of water whether represented by license, issued by the department of water resources, by claims to water right(s) by reason of diversion and application to a beneficial use as filed under the provisions of this chapter, or by decree of the court, who shall desire to change the point of diversion, place of use, period of use or nature of use of all or part of the water, under the right shall first make application to the department of water resources for approval of such change."

The new owner must sign the form in the space provided.

If you want the notices required by law that are associated with the claim(s) to be mailed to your attorney instead of you, have your attorney complete the Notice of Appearance section.

RECEIVED

35-9172-G

DEC 12 1996

TETON CO., ID
CLERK RECORDER

125878

Warranty Deed

354-2085 Nancy
ALLIANCE TITLE & ESCROW CORP., INC.
P.O. BOX 644 / 78 N. MAIN STREET
DRIGGS, IDAHO 83422

COPY

For Value Received

Eric E. Thompson and Sandra A. Thompson, HUSBAND AND WIFE.

the grantors, do hereby grant, bargain, sell and convey unto

Harvey Edwards and Suzanne R. Edwards, HUSBAND AND WIFE.

whose current address is

Rd 1 Center Rd. Box 290, Eagle Bridge, NY 12057

the grantees, the following described premises, in Teton County Idaho, to wit:

TOWNSHIP 4 NORTH, RANGE 45 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO.
SECTION 6: W1/2 SE1/4 SW1/4 270AC.

Pursuant to the restrictive covenant in two deed between Louis B. Cushman, a married man, his wife, Christine S. Cushman, John C. Cushman, III and Jeanine S. Cushman, husband and wife, Grantors, and Eric E. Thompson and Sandra A. Thompson, husband and wife, Grantees, dated February 22, 1994, recorded December 12, 1996 with the Teton County Clerk, instrument no: 125877 which limits two parcels of real estate to three homes, the Grantors, Eric E. Thompson and Sandra A. Thompson specifically grant to the Grantees, Harvey Edwards and Suzanne R. Edwards, husband and wife, the right to build only one of three single-family residence and associated out buildings permitted on the two parcels pursuant to that restrictive covenant. The Grantors, Eric E. Thompson and Sandra A. Thompson also warrant that they have not granted any rights to any other parties, which would defeat the rights of the Grantees to build on this property.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they the owners in fee simple of said premises; that they are free from all incumbrances

except: Subject to all existing patent reservations, easements, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations.

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: November 26, 1996

Eric E. Thompson
Eric E. Thompson

Sandra A. Thompson
Sandra A. Thompson

STATE OF _____, COUNTY OF _____
On this _____ day of _____, 19 96
before me, a notary public in and for said State, personally appeared

Eric E. Thompson
Sandra A. Thompson

known to me to be the person s whose name s are
subscribed to the within instrument, and acknowledged to me that
they executed the same.

Notary Public

Residing at _____
Comm. Expires _____

125878

FILED

AT THE REQUEST OF

ALLIANCE TITLE AND ESCROW

AT 18 MINUTES PAST 3 P.M.

DATE Dec. 12, 1996

Dea J. Drake
CLERK OF RECORD
BY Nancy DEPUTY

SW 1/4

SEC 6 TWP 4 N RG 45 R3M

1336.24

1322.59

1322.59

12/3

Edwards

12/15

Baker

496.80

494.11

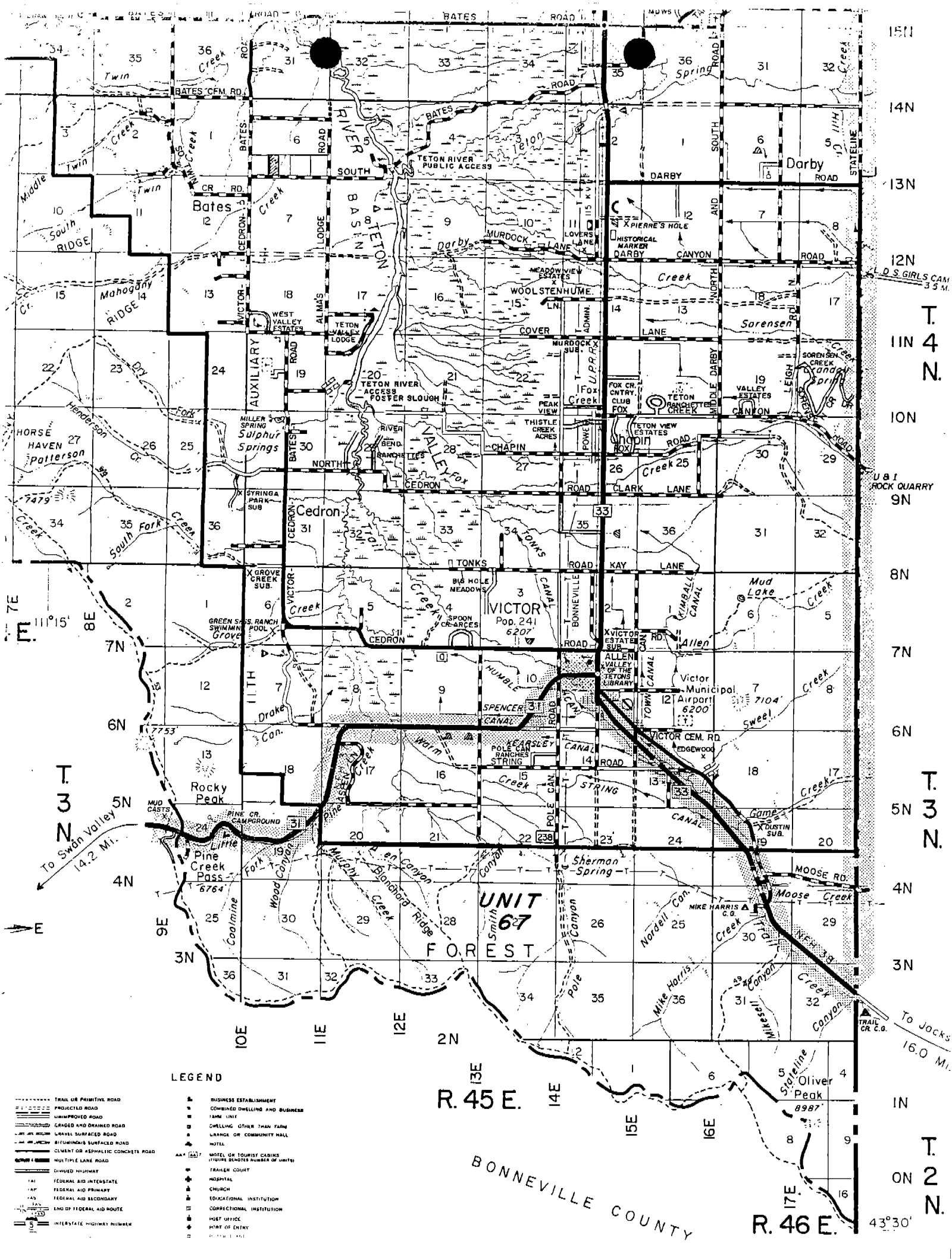
401.21

499.40

See out

Each side large blue square = 5 chains, 20 rods, 330 feet; area of square 2.5 acres.
Each side small red square = 1.25 chains, 5 rods, 82.5 feet; area of square .15625 of 1 acre.

PHOTO LAND MEASURE
P.O. Box 3212, Film, MI 48602
Phone (313) 833-7950



LEGEND

- TRAIL OR PRIMITIVE ROAD
- PROJECTED ROAD
- UNIMPROVED ROAD
- GRAVEL OR DRAINED ROAD
- GRAVEL SURFACED ROAD
- BITUMINOUS SURFACED ROAD
- CEMENT OR ASPHALT CONCRETE ROAD
- MULTIPLE LANE ROAD
- DIVIDED HIGHWAY
- FEDERAL AID INTERSTATE
- FEDERAL AID PRIMARY
- FEDERAL AID SECONDARY
- END OF FEDERAL AID ROUTE
- INTERSTATE HIGHWAY NUMBER
- BUSINESS ESTABLISHMENT
- COMBINED DWELLING AND BUSINESS
- FARM UNIT
- DWELLING OTHER THAN FARM
- URBAN OR COMMUNITY HALL
- HOTEL
- MOTEL OR TOURIST CABINS (FIGURE DENOTES NUMBER OF UNITS)
- TRAILER COURT
- HOSPITAL
- CHURCH
- EDUCATIONAL INSTITUTION
- CORRECTIONAL INSTITUTION
- POST OFFICE
- PORT OF ENTRY

R. 45 E.

BONNEVILLE COUNTY

R. 46 E.

IN

ON

T. 2 N.

43°30'

CORPORATION WARRANTY DEED

1. Date

November ^{27th} 21, 1996

2. Parties

Grantor: Potter Enterprises, Inc., an Idaho corporation

Current address:

Scott Eskelson, Esq.
485 E. Street
Idaho Falls, ID 83402

523-4650

Grantee: John C. Cushman, III and Jeanine Cushman, husband and wife and Louis B. Cushman,

Current address:

John C. Cushman, III
Cushman Realty Corporation
601 South Figueroa Street
47th Floor
Los Angeles, CA 90017-5752

What happened to
SWSE (37.014) of
22-020418
Dues Ref: 114921
1/3/94

3. Property

Idaho County: Teton

Description:

Parcel 1: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 6, Township 4 North, Range 45 East of the Boise Meridian, Teton County, Idaho

Parcel 2: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 6, Township 4 North, Range 45 East of the Boise Meridian, Teton County, Idaho, less and except Tax #2689. The exception is described as

Beginning at the West corner of said section 6, running thence East 470 feet, more or less, to a point in line with the established fence line; thence North following said fence line 500 feet, more or less, to the corner of said fence line; thence West 470 feet, more or less to the West edge of the SW $\frac{1}{4}$, Section 6, thence South 500 feet, more or less to the point of beginning.

TOGETHER WITH;

All water rights, ditches, ditch rights, easements, tenements, hereditaments, appurtenances, reversions, remainders, rents, issues, and profits.

SUBJECT TO;

Easements and rights-of-way of record, if any, covenants, restrictions, reservations, applicable building and zoning ordinances, use regulations and restrictions, and accruing taxes.

Taxes and assessments for 1996 and all subsequent years.

All facts, rights, claims and interest ascertainable by inspection of the property or by inquiry of persons in possession.

Unpatented mining claims, reservations and exceptions and patents or in acts authorizing their issuance.

All other matters of record.

4. Consideration

Ten Dollars and other good and valuable consideration, receipt of which is acknowledged.

5. Grant

Grantor has been authorized by resolution of its board of directors, for consideration listed above, to grant, bargain, sell, convey and confirm to grantee, their heirs, successors and assigns the transferred interest in the property described in this deed.

6. Warranties

Grantor, for itself, its successors and assigns, covenants with grantee and their heirs, successors, and assigns as follows:

Grantor is currently the owner of the property as described in this deed.

Grantor has good right to convey the property described in this deed to grantee.

The property described in this deed is free from all encumbrances, except as otherwise shown in this deed.

Grantor and its successors will forever warrant and defend the quiet and peaceful possession of the property granted by this deed to grantee, their heirs, successors and assigns against the lawful claims of all persons.

7. Construction

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

POTTER ENTERPRISES, INC.

By: Shirley E Cox
Its: Secretary/President/V.P.

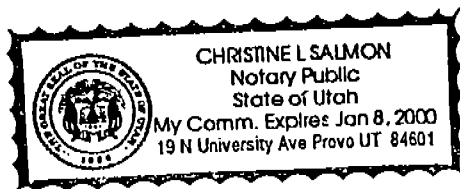
STATE OF UTAH)
County of Utah) ss.

On November 29 1996, before me, , a Utah notary public, personally appeared Shirley Cox, known or identified to me to be the vice president of 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, I have set my hand and affixed my official seal the day and year in this certificate first above written.

Christine L. Salmon
Notary Public for Utah
Residing at: Provo, UT
Commission Expires: Jan. 8, 2000

(SEAL)



125877
WARRANTY DEED

RECEIVED

DEC 12 1996

TETON CO., ID
CLERK RECORDER

1. Date

February 27, 1994

2. Parties

Grantor: Louis B. Cushman, a married man of 2800 Post Oak Boulevard, Suite 5300, Houston, Texas 77058-6111, dealing with his sole and separate property, joined by his wife Christina S. Cushman to convey any community property interest she may have in the property, and John C. Cushman, III and Jeanine S. Cushman, husband and wife of 801 South Figueroa Street, Suite 4700, Los Angeles, California 90017-5752.

Grantee: Eric E. Thompson and Sandra A. Thompson, husband and wife

Current Address: 1101 Hidden ^{Beach} Valley Road, Lake Almanor, California 96137

3. Property

Transferred interest: All

Idaho county: Teton

Description:

Section 6, Township 4 North, Range 45 East of the Boise Meridian: SE 1/4 SW 1/4 (approximately 40 acres).

Together With:

1. All water rights appurtenant to the property;
2. All appurtenant mineral rights, if any;
3. All reversions and remainders;
4. All rents, issues and profits; and
5. All tenements, hereditaments, appurtenances, improvements and fixtures, and the right to prorate use (based on acreage) of the pump, panel, screen box, and portable mainlines with the adjoining land owner to the east, subject to paying the prorata share (based on acreage) of all maintenance and electricity costs to include the responsibility for and obligation to pay costs pursuant to the attached Agreement for Electrical Services dated April 16, 1991.

Subject To:

1. Taxes for 1994 and subsequent years.
2. If zoning ordinances permit, grantees may build not more than one (1) single family residence and associated out buildings reasonably necessary to the use of the premises may be constructed on the property. A like restriction is in force on the SW 1/4 SW 1/4, Section 6, Township 4 North, Range 45 East of the Boise Meridian. Grantee may build one

SEE SPLIT IN GRANT DEED

SEE TO BELOWS

WIT TO EDWARDS

such residence on each parcel and a third on this parcel or the other, buy may not build more than three on the two parcels. This provision is a covenant running with the land to be permanently enforced.

3. All conditions, covenants, restrictions and ordinances affecting the property.

4. Consideration

Ten Dollars (\$10.00) and other good and valuable consideration, receipt and sufficiency of which is acknowledged.

5. Grant

For the consideration stated, grantor grants, bargains, sells, and conveys to grantee and to grantee's heirs and assigns forever the transferred interest in the property described in this deed.

6. Warranties

Grantor, for himself, his heirs, successors and assigns, covenants with grantee, his heirs, successors, and assigns as follows:

Grantor is currently the owner of the property as described in this deed.

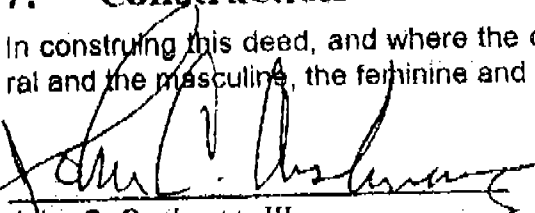
Grantor has good right to convey the property described in this deed to grantee.

The property described in this deed is free from all encumbrances, except as otherwise shown in this deed.

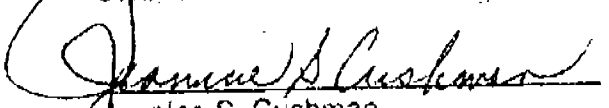
Grantor and his heirs and successors will forever warrant and defend the quiet and peaceful possession of the property granted by this deed to grantee, his heirs, successors and assigns against the lawful claims of all persons.

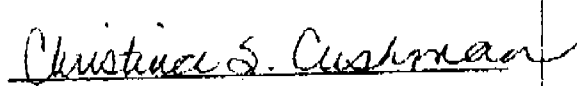
7. Construction

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.


John C. Cushman, III


Louis B. Cushman


Jeanine S. Cushman


Christina S. Cushman

125877

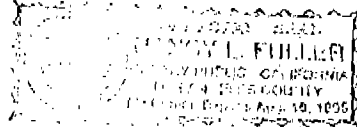
STATE OF CA)
 (ss.
 County of Los Angeles)

On February 14, 1994, before me, NANCY L. FULLER, a(n) CALIF
 notary public, personally appeared John C. Cushman, III and Jeanine S. Cushman,
 known or identified to me to be the persons whose names are subscribed to the within
 instrument, and acknowledged to me that they executed the same.

In witness, I have set my hand and affixed my official seal the day and year in this certi-
 cate first above written.

Nancy L. Fuller
 Notary Public for STATE OF CALIF
 Residing at: 3611 FIRST AVE., LA CERRENTA, CA 91214
 My Commission expires: 8/16/95

(SEAL)



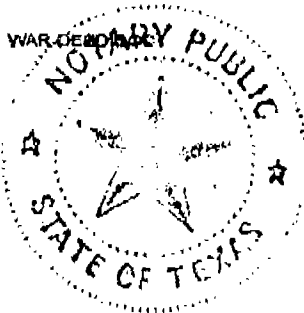
STATE OF TEXAS)
 (ss.
 County of HARRIS)

On February 22, 1994, before me, LINDA ANNE RAY, a(n) TEXAS
 notary public, personally appeared Louis B. Cushman and Christina S. Cushman, known
 or identified to me to be the persons whose names are subscribed to the within instru-
 ment, and acknowledged to me that they executed the same.

In witness, I have set my hand and affixed my official seal the day and year in this certi-
 cate first above written.

Linda Anne Ray
 Notary Public for TEXAS
 Residing at: 2800 POST OAK BLVD., SUITE 5300, HOUSTON TX 77056
 My Commission expires: 11/3/97

(SEAL)



125877

FILED

AT THE REQUEST OF

ALLIANCE TITLE AND ESROW

AT 17 MINUTES PAST 3 o'clock

DATE Dec 12, 1996

BY Dea J. Drake

CLERK OF RECORD

BY Nora R. Ragsdale

DEPUTY CLERK OF RECORD
 WARRANTY DEED - PAGE 3

RECEIVED

JUN 14 1996

TETON CO. ID
CLERK RECORDER

124175

WARRANTY DEED

AT THE REQUEST OF

ALLIANCE TITLE & ESCROW
P.O. BOX 752
BOZEMAN, ID 83440

ALLIANCE TITLE AND ESCROW

1. Date

February 14, 1994AT 21 MINUTES PAST 12 PMDATE June 14, 1996BY Ada S. Drake

CLERK OF RECORD

BY Ada S. DrakeFiled _____
Indexed _____
Platted _____

2. Parties

Grantor: Louis B. Cushman, a married man of 2800 Post Oak Boulevard, Suite 5300, Houston, Texas 77058-6111, dealing with his sole and separate property, joined by his wife Christine S. Cushman to convey any community property interest she may have in the property, and John C. Cushman, III and Jeanine S. Cushman, husband and wife of 601 South Figueroa Street, Suite 4700, Los Angeles, California 90017-5752.

Grantee: Eric E. Thompson and Sandra A. Thompson, husband and wife

Current Address: 1101 Hidden Valley Road, Lake Almanor, California 96137

3. Property

Transferred Interest: All

Idaho county: Teton

Description:

Section 8, Township 4 North, Range 45 East of the Boise Meridian: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Less Tax #2689 (approximately 5.39 acres). The exception is described as:

Beginning at the West corner of said section 8, running thence East 470 feet, more or less, to a point in line with the established fence line; thence North following said fence line 500 feet, more or less, to the corner of said fence line; thence West 470 feet, more or less to the West edge of the SW $\frac{1}{4}$, Section 8, thence South 500 feet, more or less, to the point of beginning (approx 34.6 acres).

Together With:

1. All water rights appurtenant to the property;
2. All appurtenant mineral rights, if any;
3. All reversions and remainders,
4. All rents, issues and profits; and
5. All tenements, hereditaments, appurtenances, improvements and fixtures, and the right to prorate use (based on acreage) of the pump, panel, screen box, and portable mainlines with the adjoining land owner to the east, subject to paying the prorata share (based on acreage) of all maintenance and electricity costs to include the responsibility for and obligation to pay costs pursuant to the attached Agreement for Electrical Services dated April 18, 1991.

STATE OF CA)
) ss.
 County of Los Angeles)

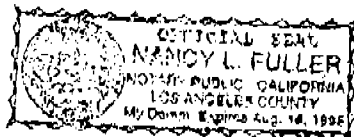
On February 14, 1994, before me, NANCY L. FULLER, a(n) CANE
 notary public, personally appeared John C. Cushman, III and Jeanine S. Cushman,
 known or identified to me to be the persons whose names are subscribed to the within
 instrument, and acknowledged to me that they executed the same.

In witness, I have set my hand and affixed my official seal the day and year in this certifi-
 cate first above written.

Nancy L. Fuller
 Notary Public for STATE OF CALIF.

Residing at: 3611 FIRST AVE., LA CRESCENTA, CA 91214
 My Commission expires: 8/16/95

(SEAL)



STATE OF Texas)
) ss.
 County of Harris)

On February 22, 1994, before me, Linda Ann Ray, a(n) Texas
 notary public, personally appeared Louis B. Cushman and Christine S. Cushman, known
 or identified to me to be the persons whose names are subscribed to the within instru-
 ment, and acknowledged to me that they executed the same.

In witness, I have set my hand and affixed my official seal the day and year in this certifi-
 cate first above written.

Linda Ann Ray
 Notary Public for HARRIS COUNTY, TEXAS

Residing at: 2800 POTOMAC BLVD, SUITE 5300, HOUSTON, TX 77006
 My Commission expires: 11/3/94

(SEAL)



Subject To:

1. Taxes for 1994 and subsequent years.
2. If zoning ordinances permit, grantees may build not more than one (1) single family residence and associated out buildings reasonably necessary to the use of the premises may be constructed on the property. A like restriction is in force on the SE¼SW¼, Section 6, Township 4 North, Range 45 East of the Boise Meridian. Grantee may build one such residence on each parcel and a third on this parcel or the other, but may not build more than three on the two parcels. This provision is a covenant running with the land to be permanently enforced.
3. All conditions, covenants, restrictions and ordinances affecting the property.

4. Consideration

Ten Dollars (\$10.00) and other good and valuable consideration, receipt and sufficiency of which is acknowledged.

5. Grant

For the consideration stated, grantor grants, bargains, sells, and conveys to grantee and to grantee's heirs and assigns forever the transferred interest in the property described in this deed.

6. Warranties

Grantor, for himself, his heirs, successors and assigns, covenants with grantee, his heirs, successors, and assigns as follows:

Grantor is currently the owner of the property as described in this deed.

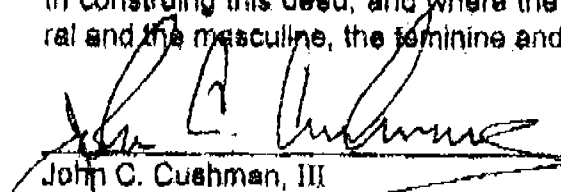
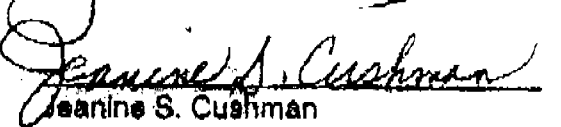
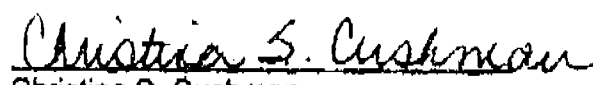
Grantor has good right to convey the property described in this deed to grantee.

The property described in this deed is free from all encumbrances, except as otherwise shown in this deed.

Grantor and his heirs and successors will forever warrant and defend the quiet and peaceful possession of the property granted by this deed to grantee, his heirs, successors and assigns against the lawful claims of all persons.

7. Construction

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.


John C. Cushman, III
Louis B. Cushman
Jeanine S. Cushman
Christina S. Cushman