

State of Idaho

Department of Water Resources

ASSIGNMENT OF NOTICE OF CLAIM

DONALD C. HARLANDER and MARY LOU HARLANDER, husband and wife, hereby assign to EDMUND S. TWINING, III, acting both individually and as Personal Representative of the estate of Susan Twining, of P. O. Box 101, Driggs, Idaho 83422:

The following described portion of our right, title, and interest in and to Notice of Claim No. A22-00515 to a Water Right Acquired Under State Law.

This is a partial transfer and there is only being transferred the water rights which are appurtenant to the following described property:

SW1/4 SE1/4 and SE1/4 SE1/4 of Section 25, Township 6 North, Range 45 E.B.M.

Pursuant to this transfer .6 cfs of the total amount of 1.2 cfs shown on the above referred to claim is being transferred.

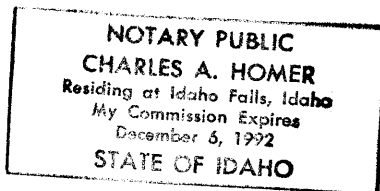
Made this 20 day of October, 1992.

Donald C. Harlander
Donald C. Harlander

Mary Lou Harlander
Mary Lou Harlander

STATE OF IDAHO)
County of Bonanza) ss.
~~Teton~~)

On this 20th day of October, 1992, personally appeared before me the signers of the above instrument, who duly acknowledged to me that they executed the same.



Notary Public Chas. A. Homer
Residing at Idaho Falls, ID
My Commission Expires 12/6/92

CAH/28071(2)/rfs
#5494

MICROFILMED
APR 08 1994

NOTICE CONCERNING WATER RIGHTS FOR PROPERTY
(to be mailed to the Idaho Department of Water Resources)

DATE OF CLOSING: October 20, 1992.

LEGAL DESCRIPTION OF PROPERTY: See Description on attached Deed.

[] Served Only by a Public Service Water Supply (domestic water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[X] Water Right Number: A22-00515

[X] Name and Address of Former Owner/Claimant(s): Donald C. & Mary Lou Harlander
P. O. Box 8
Driggs, Idaho 83422

[X] New Mailing Address: Edmund S. Twining, III
P. O. Box 101
Tetonia, Idaho 83452

[X] New Telephone Number: (208) 456-2310

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

This is a partial transfer and there is only being transferred the water rights which are appurtenant to the following described property:

SW1/4 SE1/4 and SE1/4 SE1/4 of Section 25, Township 6 North, Range 45 E.B.M. in Teton County, Idaho.

Pursuant to this transfer .6 cfs of the total amount of 1.2 cfs shown on the above referred to claim is being transferred.

[X] Signature of New Owner/Claimant:


Edmund S. Twining, III, acting both individually and as Personal Representative of the estate of Susan Twining

Date:

10/20/92

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APR 08 1994

[X] Signature of Former
Owner/Claimant(s):

Donald C. Harlander
Donald C. Harlander

Mary Lou Harlander
Mary Lou Harlander

Date:

Oct. 20, 1992

[X] Attach proof of
ownership, describe
proof attached:

(Proof of ownership must describe
either the property conveyed or
include the claim number. Proof of
ownership is not required if this form
is signed by the former claimant.

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date:

By:

Further Action Needed:

Further Action Taken

Dated:

By:

Final Review and Data-Entry

Dated:

By:

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources

Copies for Former Owner and New Owner

CAH/28081(2)/rfs
#5494

WARRANTY DEED

THIS INDENTURE is made this 20th day of October, 1992, by DONALD C. HARLANDER and MARY LOU HARLANDER, husband and wife, the Grantor, and EDMUND S. TWINING, III, a single man, acting individually as to an undivided 50% interest, and Edmund S. Twining III, acting as Personal Representative of the estate of Susan Twining as to an undivided 50% interest, whose mailing address is P. O. Box 101, Teton, Idaho 83452, the Grantee.

WITNESSETH, that the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, and to the Grantee's heirs and assigns forever, all of the following described property in the County of Teton, State of Idaho, to-wit:

The South Half of the Southeast Quarter of Section 25, Township 6 North, Range 45 East Boise Meridian, together with all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, rents, issues and profits therefrom, including but not limited to all of the water rights which are appurtenant to such property and which are referred to under the following Claim Numbers which have been filed with the Idaho Department of Water Resources pertaining to the pending Snake River Basin Adjudication: 22-07609, A22-00516, A22-00515, A22-00517, A22-11098 and A22-11099.

SUBJECT TO THE FOLLOWING:

1. All governmental regulations and zoning ordinances affecting such Property.
2. Agreement to purchase power, between Don and Mary Lou Harlander as "Consumer", and Fall River Rural Electric Cooperative, Inc. as "Seller", recorded November 7, 1985, recorder's number 97780, official records of Teton County, Idaho.
3. Also, such property is transferred subject to the following restrictive covenants which shall be for the

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APR 08 1994

benefit of the adjoining South Half of the Southwest Quarter of Section 25, Township 6 North, Range 45 East, Boise Meridian, which is owned by Grantor:

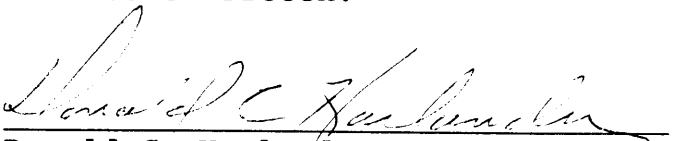
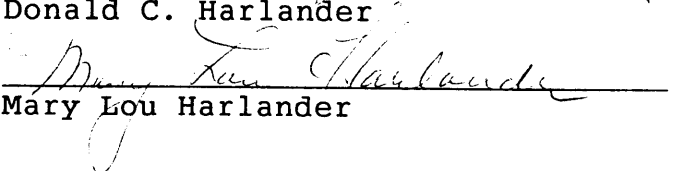
1. The Property may not be subdivided into more than two parcels.
2. Buildings, permanent or temporary, shall be set back a minimum of 450 feet from the South boundary line of the Property. No vehicular parking area or vehicular driveways or roadways shall be permitted within 450 feet from the South boundary line of the Property.

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, rents, issues and profits therefrom; and all estate, right, title and interest in and to the property, as well in law as in equity, of the Grantor.

TO HAVE AND TO HOLD the premises and the appurtenances unto the Grantee, and to the Grantee's heirs and assigns forever. The Grantor and the Grantor's heirs shall warrant and defend the premises in the quiet and peaceable possession of the Grantee and the Grantee's heirs and assigns, against the Grantor and the Grantor's heirs, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the premises as of the date hereof.

In construing this Warranty Deed and where the context so requires, the singular includes the plural.

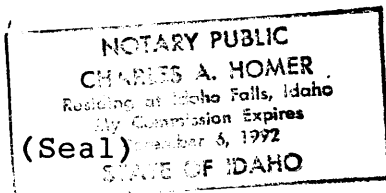
IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.


Donald C. Harlander

Mary Lou Harlander

STATE OF IDAHO)
County of Bonneville) ss.

On this 20th day of October, in the year 1992, before me, the undersigned Notary Public in and for said state, personally appeared DONALD C. HARLANDER and MARY LOU HARLANDER, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me they executed the same.

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





 Notary Public for Idaho
 Residing at 1414 1/2 N. 1st St.
 My commission expires 12/6/90

CAH/10501/rfs
#5494

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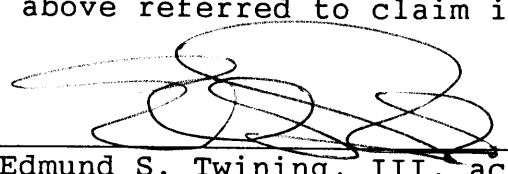
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[X] Signature of New Owner/Claimant:


Edmund S. Twining, III, acting both individually and as Personal Representative of the estate of Susan Twining

Date:

10/20/92

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Donald C. Harlander
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Date:

Oct. 20, 1992

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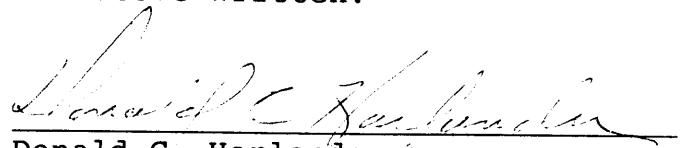
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In construing this Warranty Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.



Donald C. Harlander

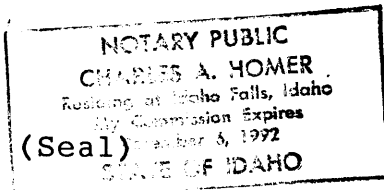


Mary Lou Harlander

STATE OF IDAHO)
County of Bonneville) ss.
)

On this 20th day of October, in the year 1992, before me, the undersigned Notary Public in and for said state, personally appeared DONALD C. HARLANDER and MARY LOU HARLANDER, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me they executed the same.

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





 Notary Public for Idaho
 Residing at Libby Falls, Libby
 My commission expires 12/6/90

CAH/10501/rfs
#5494